

THE INF TREATY

HEARINGS BEFORE THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE ONE HUNDREDTH CONGRESS SECOND SESSION

ON

THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE
UNION OF SOVIET SOCIALIST REPUBLICS ON THE ELIMINATION OF
THEIR INTERMEDIATE-RANGE AND SHORTER-RANGE MISSILES

FEBRUARY 16, 18, AND 19, 1988

PART 3

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THE INF TREATY

TUESDAY, FEBRUARY 16, 1988

U.S. SENATE,
[COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met at 10:02 a.m. in room SH-216, Hart Senate Office Building, Hon. Claiborne Pell (chairman of the committee) presiding.

Present: Senators Pell, Sarbanes, Cranston, Kerry, Adams, Helms, Kassebaum, Boschwitz, Evans, and McConnell.

The CHAIRMAN. The Committee on Foreign Relations will come to order.

The hearings have now reached about the half way mark. We have had 2 weeks, and we expect to have approximately 2 weeks more.

I will forgo my opening statement, but if the ranking minority member has one, I would reserve the right of reply.

Senator HELMS. Mr. Chairman, I do have a statement.

The CHAIRMAN. Senator Helms.

Senator HELMS. I thank you very much.

Mr. Chairman, during the recess or the home work period, or whatever disguise we put on it, I did a lot of thinking about the first 2 weeks of the hearings, and I came to the conclusion that there are several significant developments that we ought to take note of as we begin the second round.

For example, there have been occasions when advocates of the treaty have, in my judgment, over-simplified or over-stated various provisions of the treaty.

Now, this treaty has been highly advertised, but I am still looking for the treaty that was being advertised.

In the meantime, I think I have a duty as a Senator to ask questions, simple questions, based on fact, based on the curious language in the treaty text itself, and based on a myriad of numbers that simply do not add up.

Now, these hearings have established, for example, that, contrary to the statements by the President, who is my friend, and a long-time friend, the Secretary of State and other advocates of the treaty, not one—not one—nuclear warhead is to be destroyed under this treaty.

If these salvaged Soviet warheads can—and no doubt will—be shifted to other Soviet missiles, including missiles aimed at the United States, what do we do then?

We have also heard declarations repeatedly that all SS-20 launchers will be destroyed. However, at a very minimum, that is certainly subject to question.

I raised this question with General Burns during his confirmation hearing, and General Burns agreed that the leveling jacks and the equipment which erects the missile would be destroyed, and other minor modifications made; but, he said, the actual mobile launcher is still usable.

The general also confirmed that the treaty does not provide that these launchers will ever be subject to further U.S. inspection. He also confirmed that there is no reason why the Soviets could not reconvert the vehicle back for use as a launcher.

Furthermore, these hearings have established that if the United States eliminates its Pershing II's, there will be no United States ground-based missiles in Europe capable of striking points deep into the Soviet Union.

The Soviets, on the other hand, retain their missiles capable of hitting targets in Western Europe, even if they eliminate their SS-20 missiles, as required by the treaty.

The distinguished general, Bernard Rogers, former Supreme Allied Commander in Europe, who we are pleased to have here today, has continued to raise significant concerns about the adverse military consequences on the NATO alliance as a result of this INF Treaty.

So, Mr. Chairman, I feel that we need to focus on the military significance of this treaty, perhaps to a larger extent than we have thus far. While the political ramifications in Europe and elsewhere are important, it is the military significance that ultimately affects our national security and that of our allies in Europe.

General Rogers' long and distinguished experience in such military assessments should be given careful consideration by every Member of the Senate.

During the previous hearings, Mr. Chairman, we discussed the pattern of Soviet cheating on arms control treaties with the United States. Repeatedly, the intelligence community has failed both to assess accurately in advance the likely scenarios for Soviet cheating and in many cases to detect the actual cheating for years after it had begun.

And, even when cheating incidents have been discovered, the United States has done virtually nothing in response to such cheating.

I think we have to ask ourselves what are the consequences of cheating on the INF Treaty. We are obliged to ask ourselves what if our intelligence agencies discover after—after—our Pershing II's have been destroyed that the Soviets do, indeed, maintain a covert SS-20 force or are otherwise cheating on the treaty. What then would be our recourse?

The damage will have been done, and NATO will be without intermediate range missiles, its primary deterrent weapon.

So, for these reasons, it seems essential, at least to this Senator, that we explore every potential avenue of Soviet deception before we accept at face value their claims with respect to the treaty. Their pattern of deceit is so long and so thorough that any other approach borders on being naive.

Perhaps tomorrow, in the closed session, we can examine in greater detail how the Soviet claims submitted in the treaty compare with United States intelligence assessments. It has already been reported widely that their claim of 650 SS-20's is 300 lower than the previously published U.S. national intelligence estimates.

As a start in addressing the issue of Soviet cheating, Mr. Chairman, I have filed in the Senate an amendment that would require the United States to withdraw from this treaty in the event of a major violation by the Soviet Union.

We have not yet discussed in any depth one of the biggest potential loopholes, that is the ability of the Soviets to revise their claims after the Senate ratifies this treaty. The treaty provides that, despite the numbers set forth in the memorandum of understanding—which are already suspect, by the way—the Soviets can modify these numbers after United States ratification apparently without any recourse whatsoever by the United States.

Well, down in North Carolina we say that we don't want to buy a pig in a poke. But that appears to be what may be asked of the Senate if we find that crucial elements of the Soviet data can be changed after examination by the Senate.

Now, Mr. Perle is one of the architects of the INF Treaty, although he may no longer claim it as his, and his testimony should, and I think will, assist us in understanding how the original concepts, as envisioned by the United States, have evolved into the treaty that we now have before us.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Helms.

I would only suggest two points here.

First, there is no question but that the warheads, containing the nuclear material, are not being destroyed, it is very difficult to find any way of destroying nuclear material. But the warhead is of no use without the vehicle or the missile to transport it.

Second, I must say that I concur with Senator Helms. The military significance of this treaty is not all that great. What is significant is that the elevator of continuous escalation upward is now being halted and going a little bit downward.

We have now as our first witness Mr. Perle.

Senator HELMS. Well, we agree to disagree agreeably, Mr. Chairman.

The CHAIRMAN. Yes, exactly.

STATEMENT OF HON. RICHARD N. PERLE, FORMER ASSISTANT SECRETARY OF DEFENSE

Mr. PERLE. Thank you very much.

Mr. Chairman, I appreciate the opportunity you have given me to testify on the treaty. The general outline of the rights and the obligations of the parties is by now well known to the committee and requires no further comment.

Some specific provisions, however, deserve close consideration, either because they are ambiguous, because they invite differing interpretations, because they create loopholes whose exploitation by the Soviets would alter substantially the military consequences of

the treaty, or because they have important implications for future negotiations or the evolution of our military forces.

It is with respect to some of these provisions that I wish to comment this morning.

But before doing that, I would like to say something about the treaty broadly conceived. It is, as the committee knows, the product of 6 years of negotiation, from November 1981 to December 1987. It is a treaty that few thought attainable when the President first proposed it. It is a treaty that was categorically rejected by General Secretaries Brezhnev, Andropov, Chernenko, and, for more than a year, Gorbachev.

The proposal to eliminate all INF missiles was denounced repeatedly by the Soviets and others as a subterfuge aimed at establishing American military superiority.

Most of the community of arms control experts believed that the Soviets would never accept the zero option, as the proposal came to be known. They regarded the President's proposal, but not Soviet rejection of it, with deep suspicion.

The idea became quickly and widely accepted among them that the offer to eliminate the entire class of medium-range missiles was a disingenuous maneuver intended to frustrate any serious negotiation.

The CHAIRMAN. Excuse me for interrupting, for a moment. My understanding is that each of you will take around 10 minutes or so, proceeding one after the other, and then we will have an opportunity for questions.

Mr. PERLE. Right.

The CHAIRMAN. And if that does not permit your full statement to be read—which I can see that it will not—it will be inserted into the record as if read.

Mr. PERLE. I thought I would skip passages here and there to try to stay close to the 10 minutes.

The CHAIRMAN. Fine, but there is a 10-minute restriction.

Mr. PERLE. Yes.

Indeed, the Washington Bureau Chief of Time magazine wrote a full-length book which sounded this theme in which I was portrayed as the villain and my State Department colleagues as heroes who would rescue an INF Treaty from the overly demanding embrace of the zero option.

But, having become persuaded that the elimination of all intermediate-range missiles was in the Western security interest, the President refused to take "No" for an answer. He was patient and determined.

He had reviewed our past experience with arms control and concluded that a failure of staying power had too often led to unreciprocated concessions and ultimately such flawed treaties as SALT I and SALT II.

He believed that in the past, our eagerness for agreement had enabled the Soviets to avoid the necessity for compromise. We had typically offered the Soviets a succession of proposals, each more accommodating than the one before it, and they had simply waited until our proposals enabled them to realize their objectives.

He was convinced that we would never learn how tractable the Soviets were until we put forward proposals that would test their

willingness to compromise. So, he was comfortable advancing a proposal that many people considered unacceptable—"nonnegotiable" is the term of art—to the Soviets.

And he was equally comfortable in waiting for a change in the Soviets' negative reaction.

However one regards the INF Treaty, it is the treaty that Ronald Reagan set out to get in 1981. His will and resolve and that of our allies has vindicated the judgment that the Soviets could be pressed to abandon their intermediate missiles in exchange for ours.

I know there are those who believe that the elimination of intermediate missiles will weaken, rather than strengthen, Western security. I disagree. The removal of SS-20 intermediate missiles will impair the Soviets' ability to attack and destroy the critical NATO installations on which the conventional, as well as the nuclear, defense of Europe depends.

It is true that many of these installations will remain vulnerable to other Soviet missiles, including their ICBM's. But, just as the use of an American ICBM is thought by some to entail greater risk than the use of an intermediate missile, the same should hold true of the Soviets.

For my part, I believe that the decision to use nuclear weapons against the Soviet homeland in response to a Soviet conventional attack on Europe would be of such momentous consequence as to dwarf the issue of whether the chosen weapon was of intermediate or intercontinental range.

In any case, the Pershing II and ground-launched Cruise missiles have turned out to be far more vulnerable to attack than those who made the decision to deploy them anticipated.

This is due, in part, to the difficulty of dispersing them in real world situations.

Even after the removal of American INF missiles from Europe, we will have some 4,000 nuclear weapons deployed there, many of which are carried by delivery systems that can reach, in some cases, deeply into the Soviet Union. It is crucial for the defense of the alliance that these weapons be retained in the Western arsenal and consistent with the decision taken at Montebello in 1983, improved so as to make them more effective.

The Lance missile is approaching obsolescence. It needs to be replaced, ideally with a missile capable of the full range permitted by the treaty, 500 kilometers.

The range and effectiveness of the other nuclear weapons deployed in defense of the alliance should be improved as well. And air-to-surface missiles should replace certain gravity bombs in order to improve target coverage and effectiveness.

Finally, the F-111 aircraft should be modernized and eventually replaced with an aircraft that has the range and payload necessary to strike deep into Soviet territory.

These measures can, in my judgment, ensure that NATO will be able to deter attacks in the future, just as it has in the past.

I cannot accept the arguments of those who believe that the absence of American intermediate missiles in Europe will diminish significantly our ability to deter Soviet attack, provided that we continue to maintain a significant nuclear capability.

But I would be deeply troubled about the prospects for the defense of Europe if we were to go beyond this treaty and eliminate the remaining nuclear weapons, for, without those additional nuclear weapons, the remaining ones in Europe, there can be no plausible defense and our forces deployed there for the defense of Europe would be hopelessly vulnerable to attack.

I said at the outset that some provisions of the treaty deserve close scrutiny and careful Senate consideration; for, despite the admirable professionalism, heroic at times, with which the INF Treaty was negotiated, there are provisions in it that could benefit from greater precision and clarity.

There are ambiguities that should be cleared up and loopholes that ought to be closed. There are also provisions that would establish dangerous precedents if they were believed to have application wider than this treaty.

Much of the verification regime falls into this category. Had more time been available to negotiate those treaty issues that were resolved late in the negotiation, in some cases in the final days and hours, it is likely that some of these more troublesome provisions would have been handled differently.

On February 5, the American Enterprise Institute released a careful article by article review of the treaty. It is the product of a working group that includes both supporters and opponents of the treaty. But all who participated in it believe that, where the treaty can be improved so as to accomplish its essential purpose better, it is in the national interest to do so.

I am happy to make a copy of the AEI report available to the committee for whatever use the committee wishes to make of it.

You will find in it an analysis of the ambiguities, loopholes and definitional problems that we would do well to clarify, close, and resolve. I have that with me, Mr. Chairman.

[The information referred to appears in the appendix.]

Mr. PERLE. There has been a great deal of talk about the possibility that this treaty may be destroyed by "killer amendments."

Unlike some who argue that the INF Treaty is politically and conceptually flawed, I believe that it is sound in these respects and should be ratified. Indeed, a failure to ratify the treaty could do grave harm to our political and security interests. So, I would oppose any amendment aimed at killing the treaty.

At the same time, I believe that the Senate role in the consideration of treaties should entail more than the selection between a rubber stamp that says "Yes" and one that says "No." To offer treaties for Senate consideration on a take-it-or-leave-it basis would do to the Senate what the President rightly claims the absence of a line item veto on budget measures does to Executive authority.

I take particular exception to the notion that any amendment or reservation that requires further negotiation or consultation with the Soviets is bound to kill the treaty. Some of the treaty's deficiencies were the product of haste, not the clash of American and Soviet differences.

Others reflect our thinking at one time or another during the negotiating process on issues where second thoughts are now in order. I see no reason why language that might be subject to differing interpretations should not be clarified now, rather than later.

We have learned, to our regret, how difficult it is to resolve interpretive disputes when they emerge years after ratification.

The notion that this treaty cannot be improved without killing it implies that every provision in it reflects the only formulation that the Soviets would or could accept, and that each of those formulations is as effective as possible. Surely this is not the case, and no one familiar with the negotiation would contend that it is.

Indeed, some possible clarifications might be as welcome to the Soviets as to us.

Some improvement might result from an exchange of correspondence between the parties as to the meaning and interpretation of specific provisions. In other cases, amendments or reservations might be helpful, so long as they do not alter the fundamental exchange of rights and obligations and thus the structural integrity of the treaty.

Amendments that did alter the essential features of the treaty to eliminate nuclear missiles, say by conferring unilateral advantages or imposing unilateral constraints, would indeed be killer amendments which the Senate would be wise to reject.

Amendments or reservations of more modest scope, on the other hand, deserve careful deliberation by the Senate.

Consider article 14, which deals with noncircumvention. Various administration witnesses have testified that article 14 imposes no obligation on the United States beyond those contained in the other articles of the treaty. Yet, under international law, treaty provisions are generally held to have some nonredundant meaning on the not unreasonable principle that if they lacked independent meaning, they would be superfluous.

We know from experience that it is a Soviet objective to curtail our military cooperation with our allies, and they may be tempted to interpret article 14 so as to encumber that cooperation.

A reservation that states simply that article 14 entails no obligations, not otherwise specified elsewhere in the treaty, would settle the matter, and unless the Soviets interpret article 14 differently, such a reservation could be readily accepted by them.

One provision of the treaty, article 2, paragraph 2, has the effect of banning ground-launched Cruise missiles with a range over 500 kilometers even if they are armed with nonnuclear weapons.

I believe that this is the single most serious defect in the treaty, serious enough to warrant an amendment that would ban nuclear, but permit nonnuclear Cruise missiles.

This is my final point, Mr. Chairman, if I may be permitted to conclude it.

The prohibition on conventionally armed ground-launched Cruise missiles will prevent the United States from deploying weapons that could strengthen greatly our deterrent forces and our conventional capability. Nonnuclear Cruise missiles with previously unimaginable accuracy, missiles capable of striking within 10 feet of their targets in any weather, even when fired from great distances, could enable the United States to replace nuclear with nonnuclear weapons for a class of important targets than can now be destroyed only with nuclear weapons.

Such deployments would significantly raise the nuclear threshold and place even hardened targets at risk. This would create a formi-

dable deterrent to conventional attack and diminish the need to rely on nuclear strikes to halt a conventional offensive early in a major war. And it would create a variety of options in more limited conflicts where it is inadvisable to place in jeopardy the aircraft and ships and the men who fly and man them that would otherwise bear the burden of launching Cruise missiles.

Ground-launched Cruise missiles are likely to be far cheaper and less vulnerable to attack or attrition than those delivered from costly and vulnerable ships and aircraft, and because they would not carry nuclear weapons, a number of peacetime dispersal options would be available.

The advantage of deploying hundreds of ground-launched Cruise missiles over a wide geographic area is considerable, compared to concentrating a few Cruise missiles on aircraft based at a few tens of locations or on a small number of ships. This is an advantage that ought to be seized.

The only argument for banning conventional as well as nuclear Cruise missiles is that it is necessary to ban both in order to verify compliance with a ban on nuclear Cruise missiles because it is difficult to distinguish between them.

Yet the treaty does allow unarmed Cruise missiles. If the Soviets wished to disguise the deployment of nuclear armed Cruise missiles, they could simply claim they were unarmed reconnaissance vehicles. We would be unable to verify this claim in peacetime, and during a war, nuclear warheads could be easily added.

Moreover, there is no practicable way to verify the range of a Cruise missile. The Soviets could deploy a conventionally armed Cruise missile with, say, a 2,000-pound warhead in a range of 500 kilometers. The substitution of a 150-pound nuclear warhead for the much heavier conventional one would enable that Cruise missile to operate at distances greatly exceeding 500 kilometers.

So, it is simply wrong to assert that a ban on nonnuclear Cruise missiles makes a ban on nuclear ones verifiable. It does not.

The verification advantage of complicating one cheating scenario for nuclear Cruise missiles when several others exist is illusory. Yet, ironically, I believe that the administration agreed to ban conventional Cruise missiles not so much because the Soviets insisted on it, but because it feared criticism from Senators concerned about verification.

In cases where verification is nearly impossible, as it is with respect to article 2, paragraph 2, the crucial issue becomes the protection of American options. Where the option is question is particularly promising and beneficial to our security, it is foolish to abandon it for all time in the idle belief that we have, thereby, solved an important verification problem.

So, I urge, Mr. Chairman, that the committee seriously consider a simple amendment which would insert the word "nuclear" at the appropriate place in article 2, paragraph 2, so that this treaty, which was intended to eliminate nuclear weapons, would not unnecessarily and unwisely also constrain important conventional options that might some day enable us to diminish significantly our dependence on nuclear forces.

Thank you.

[The prepared statement of Mr. Perle appears in the appendix.]

The CHAIRMAN. Thank you very much, Mr. Perle.

We will turn next to General Rogers who has done an exceedingly fine job of commanding our troops.

Senator HELMS. Mr. Chairman, it goes without saying that the texts of all of their statements—

The CHAIRMAN. Oh, yes, I said that in the beginning.

Senator HELMS. Oh, did you—because Mr. Perle had to omit orally some important points in his statement.

The CHAIRMAN. As I said earlier, the full text of all the statements will appear in the record as if read.

General Rogers.

**STATEMENT OF GEN. BERNARD W. ROGERS, FORMER
COMMANDER-IN-CHIEF, U.S. EUROPEAN COMMAND**

General ROGERS. Thank you, Mr. Chairman and distinguished members of the committee.

I am pleased to have this opportunity.

I submitted my statement last Wednesday, but I believe it was just run off this morning, so I am not sure that you have had an opportunity to read it. I would like to address specifically the INF Treaty, although the statement addresses the balance of forces and some other matters.

I wish to touch on the salient features of NATO as they relate to arms control, present my view of the Intermediate-Range Nuclear Force Treaty and the actions necessary once that treaty has been implemented.

I speak, Mr. Chairman, as the former Supreme Allied Commander of Europe, SACEUR, who, in 8 years, serving 16 nations, used as his criterion for decisionmaking, judgments, and recommendations what is best for NATO and not what is best for any individual country or any group of countries. It is with that perspective that I appear in this chamber today.

Turning to the salient features of NATO that relate to arms control, I would just remind you that the mission of NATO is to deter aggression or intimidation that could come from the threat of aggression. It is not to fight a war.

As a consequence, NATO adopted in 1967 a deterrent strategy of flexible response, giving up its old massive retaliation strategy which had become bankrupt.

Three responses are envisioned in that flexible response strategy: Direct defense to defeat an attack or to force the burden of escalation on the shoulders of the aggressor—that is a preferred response; the second is deliberate escalation on the part of NATO to include the possible first use of nuclear weapons; and third is the general nuclear response, which ultimately guarantees NATO's deterrence.

In the triad of forces—strategic, nonstrategic nuclear or theater, and conventional—it is with the conventional forces that we have had our difficulties most of the time.

Reviewing the record of all SACEUR's, to include my successor, you find that beginning with General Eisenhower, we have pleaded for additional resources allocated to the conventional forces. But

NATO has been satisfied in mortgaging its deterrence to the nuclear response.

There are three tools that are necessary and are provided by NATO to keep the credibility of NATO's deterrence high in the minds of the Soviet Union. The first one is the second response that I described, deliberate escalation to include the possible first use of nuclear weapons, because the Soviets must continue to face the ultimate risk that, should they aggress, NATO will, in fact, respond with nuclear weapons, and in so doing the situation may well escalate to the strategic nuclear exchange, which is the one thing the Soviet Union fears.

It preys on the minds of Russians my age and older that they lost 20 million in World War II, and Chernobyl has underscored the fact that their losses in a strategic nuclear exchange would be greater.

The other two tools are provided in the general political guidelines for the deployment of nuclear weapons by NATO. One is with theater, land-based nuclear weapons, to be able to strike Soviet targets deep in the Soviet homeland, so that the Soviets understand that if they aggress, their homeland will not be a sanctuary and the consequences of her aggression will not be borne solely by the victims of that aggression.

The third tool is a series of escalatory options between the disadvantaged conventional forces at one end of NATO's force spectrum and the strategic nuclear forces at the other end, so that NATO would not again resort directly on massive retaliation should it fail to hold conventionally; of course, the other option being capitulation, which I believe to be nonviable.

I would like to digress for a moment to discuss the scenario that would be played should there be a conventional attack by the Warsaw Pact, and this is exercised both by the political and the military authorities within the alliance.

Should the Warsaw Pact attack conventionally, in less than 2 weeks, the Supreme Allied Commander must request the release of nuclear weapons.

Why is this?

Well, first, it is the political guidance which says you, SACEUR, before you lose the cohesiveness of your defense; that is, subject to penetrations on a broad scale, you will—not may—you will request the release of nuclear weapons. And he must do that in less than 2 weeks under current conditions because we are unable to sustain the Allied Command Europe forces for longer than a period which is less than 2 weeks: insufficient numbers of trained replacements for battlefield casualties, insufficient stocks of ammunition, inadequate stocks of prepositioned war reserve materiel to replace losses on the battlefield.

When the SACEUR makes his request for the release of nuclear weapons, he asks only for the release of a relatively few. The purpose is to send the message to the Soviets to cease and desist in their attack.

He would like to strike some militarily significant Soviet targets on both Soviet and non-Soviet Warsaw Pact soil.

Certainly, at this time he does not wish to use nuclear weapons on allied soil.

Two messages would be sent through diplomatic channels: One to the Soviets saying we have struck some targets on your soil and you will get more nuclear strikes if you fail to stop your conventional attack; and to the non-Soviet Warsaw Pact countries, saying to them we have struck Soviet targets of a military nature on your soil because you are supporting the Soviet Union in its attack against the West.

So, then it is a Soviet decision as to what they do.

Now, to get to that point, we need these escalatory options that I described, and we need to be able to strike Soviet soil. That was the very purpose of NATO's decision of December 1979, because the only weapons platform which might reach the Soviet Union was the U.S. F-111 since the British Vulcan was going out of their structure.

The only weapons platform that had any chance of penetrating to Soviet soil was the F-111; it was deemed not adequate by NATO at that time because of the massive Warsaw Pact air defenses. A gap in our spectrum of deterrent had developed, and it was believed that it needed to be filled, and that is why the decision was taken to deploy the LRINF missiles in West Europe.

The decision was "sold" to the publics on both sides of the Atlantic as a means by which to capture the Soviet SS-20 missiles which were being deployed. The fact was we needed to make that deployment irrespective of the SS-20's. The fact that they were being deployed only made it more urgent for NATO to get on with its decision.

In 1981, with the massive demonstrations in the deployment countries in Western Europe, it was deemed that a proposal which would put the onus of the burden on the back of the Soviet Union should be made. That proposal was the zero level LRINF suggestion; namely, that should the Soviets destroy their SS-4's, SS-5's, and SS-20's, NATO would not deploy its weapon systems, the ground-launched Cruise missiles and Pershing II's, on West European soil beginning in December 1983.

No one with whom I spoke on either side of the Atlantic at the time that proposal was made believed it would be accepted by the Soviets.

Minister of Defense Woerner of West Germany said publicly that if it were ever accepted by the Soviets, he would crawl the 240 miles from Bonn to his home on his knees.

In 1983, the deployment was made by the NATO allies.

In 1986, the Reykjavik summit occurred. Those of us who lived in Western Europe in the aftermath of Reykjavik learned of the concerns of the West Europeans.

They were astounded to find that the very basis, the very foundation, of NATO's deterrent—the nuclear weapon—was almost given up. They were also unnerved by the fact that the two superpowers had been negotiating the fate of Western Europe over the West Europeans' heads without consultation.

When it appeared that Gorbachev would accept the zero level LRINF, a number of senior members, both of NATO and of governments in Western Europe, pointed out to me how foolish they had been to support for all those years the LRINF zero proposal. But, as they said to me, "How can we now turn to our people and say

we misled you all these years, we didn't think that the Soviets would accept it. To do so would mean we would lose our political credibility."

I agreed that they would lose political credibility. It was at that juncture that political credibility took a priority over the credibility of NATO's deterrence.

In February 1987, Mr. Gorbachev accepted the zero level proposal and then threw in the shorter range INF weapons in April of that year. And we have the treaty which is before you now.

With respect to the INF Treaty, there are some positive aspects. The cohesiveness and will of the allies have shown that they can get the Soviets to negotiate seriously and keep them at the table. It has onsite inspection, which is a breakthrough, asymmetrical reductions, which is another.

My concerns: First, the treaty reduces the credibility of the deterrence of NATO by giving up the escalatory options, particularly the Pershing II's, which the Soviets fear because they can strike Soviet soil with certainty and with accuracy within 13 minutes.

The treaty returns NATO to 1979, dependent again on the F-111 as an escalatory option.

Second, it puts Western Europe on the slippery slope of denuclearization, which is something the Soviets have wanted, to make Europe safe for conventional war, but, more likely, safe for the achievement of the Soviet objective in Western Europe, which is to be able to intimidate, coerce, and neutralize Western Europe without having to fire a shot.

Third, I am concerned about Soviet compliance—it will be the first time they do—and verification. What does NATO do if they violate? We certainly won't put the weapon systems back on European soil. The Europeans would not permit that.

Fourth, I am concerned about the rationales that are used to justify this treaty, which I think mislead our people.

For example, there are those who say that with 4,000 warheads left, they are enough to deter. Remember that what we have to do is to conjure up a perception of disadvantage, a perception of pain in the Soviets' mind, because deterrence is in the eye of the beholder.

What, in fact, we will have left in that 4,000 NATO stockpile will be a few maritime depth charges, with a range of zero; hundreds of artillery-fired atomic projectiles, with a range of 9 miles; obsolescent Lance weapons, with a range of 66 miles; the 72 German Pershing Ia's, which will be given up by the Germans; and, finally, the dual-capable aircraft with a range of 180 to 200 miles.

Those weapon systems will not create the perception of pain in the Soviet mind because they cannot strike militarily significant Soviet targets, either on Soviet soil or on non-Soviet Warsaw pact soil.

It is not a question of numbers of warheads. The real question is: After this treaty has been implemented, will NATO have the weapons platforms that can propel nuclear warheads onto military significant Soviet targets, and do the Soviets know that we can do it?

After this treaty is implemented, the answer will be: "No."

There are those who say: "The Soviets are giving up four for every one NATO is giving up, so it must be a good deal for us."

They are giving up only 3 percent of their total nuclear stockpile. The other 97 percent, almost all of those warheads can strike targets in Western Europe. The risk remains on the backs of the West Europeans.

And what is NATO giving up? The Pershing II, the one weapon system which, coupled with the strategic forces of this country, keeps the credibility of NATO's deterrence high.

There are those who say we can use strategic weapons to compensate for the treaty, and those who say we can use SLCM's, sea-launched Cruise missiles to compensate. For purposes of time I will not go into those statements. But they are wrong.

Finally, I am concerned that we are sacrificing the long-term credibility of NATO's deterrent for political expediency in the short term—all because of a proposal made in 1981, that nobody believed the Soviets would accept. But Gorbachev did. He hoisted us by our own petard. But, as Henry Kissinger has said, "We should not blame Gorbachev for accepting proposals that should never have been made."

There are a series of actions that need to be taken once this agreement is implemented, if it is.

My time is up, so I will not go into them. But let me go to my conclusion.

The requisite actions that I describe—and I would like to tell you about them later on, if I might—will require resources and will on the part of NATO. From my experience of 8 years, I think there will be rhetoric of the appropriate type which will appear to manifest will on the part of allies. But, I also believe that there will be few, if any, additional resources made available for conventional forces. With a major reduction in the credibility of the nuclear deterrent of NATO that results from this treaty, and with inadequate resources for conventional forces, I believe the West European allies run the risk of becoming dependent upon the good will of Gorbachev and the Soviet Union for their security and for the freedom of their people.

I think that is a weak reed upon which they would have to lean.

Thank you, Mr. Chairman.

[The prepared statement of General Rogers appears in the appendix.]

The CHAIRMAN. Thank you very much, General Rogers.
Mr. Slocombe.

STATEMENT OF HON. WALTER B. SLOCOMBE, FORMER DEPUTY UNDER SECRETARY OF DEFENSE

Mr. SLOCOMBE. Mr. Chairman, it is an honor to be invited to appear before this committee to comment on the INF Treaty, particularly in such distinguished company.

The treaty is clearly a substantial arms control accomplishment by the standards by which past agreements have been judged and often criticized. It also represents a very considerable political success, both for the United States and for the alliance as a whole.

We now have the luxury of debating whether zero Soviet missiles is worth eliminating equivalent United States missiles. For a long time, there was a real danger that NATO would not be able to

carry through and deploy any missiles of its own, leaving the field a virtual Soviet monopoly.

NATO's goal, set 10 years ago, was to deploy in the absence of Soviet dismantling of its SS-20. The success in achieving that goal of getting the SS-20's out, and thereby being able to forgo the deployment, has, of course, been the willingness of democratic political systems on both sides of the Atlantic to recognize that there are some hard and unpleasant things that need to be done.

Ironically, the governments of Western Europe, with strong left-wing elements in their political life and sometimes even within the governments themselves, and on some of the most crowded pieces of geography in the world, managed to find the political courage to agree to the deployment of mobile nuclear missiles in their countries, something the United States, with an even more compelling military need, has not yet managed to do.

It is also worth pointing out that the deployment of ground-launched Cruise missiles and Pershings had and required the support of two successive U.S. administrations, neither of which, for different reasons, came very readily to that position.

The central lesson of this whole experience, and one which is not likely to be lost on the Soviet leadership, is that democratic countries, with strong leadership across the spectrum of their political life, can face up to difficult security decisions.

But there are many who, while acknowledging the political virtues of the treaty, and even agreeing that the treaty could not now be repudiated without unacceptable political costs, raise grave questions about whether the treaty is, in fact, consistent with the continued viability of NATO as a military alliance, and particularly with continued reliance on the nuclear deterrent as an element of NATO strategy.

It is that issue to which I would like to devote the bulk of my statement.

The key to the strength of the alliance is not military at all, for the greatest source of strength in the alliance is political, even cultural. The NATO alliance rests not only on self-interest and collective resistance to an external military threat, but also on deeply shared values of democracy, human rights, economic opportunity, and social justice.

But, ultimately, NATO is a military alliance and the declared readiness and manifest capability of the alliance to use nuclear weapons to resist aggression in Europe, if it cannot be contained by any other means, is central to the system of NATO deterrence.

If I understand the critics correctly, they argue that the treaty will leave the United States with inadequate forces to cover targets of importance to NATO; in particular, that it will leave the United States with inadequate forces, distinctively linked to NATO Europe, that are capable of reaching Soviet targets.

The flaw in this argument, I submit, with great respect to the distinction of the people who make it, is factual.

Obviously, the Pershings and ground-launched Cruise missiles make a major contribution to the military potential of NATO. That is why the alliance decided to deploy them. But it is simply false to suggest that without them, NATO will lack for the means to attack Soviet forces and Soviet territory with nuclear weapons.

First, of course, large forces remain at short ranges.

Second, central systems—ICBM's, SLBM's, and heavy bombers—make an important contribution to NATO deterrence. The idea that it makes a great deal of difference to the Russians where the bombs that hit them come from is a peculiarly Western notion. It is clearly not a Soviet one.

The Soviets give every indication of judging that they assume that if the United States is faced with a situation in which the use of nuclear weapons is in its interest, it will be quite as ready to use its most effective and most powerful weapons, those in its central arsenal, as any others. Accordingly, in the post-INF Treaty world, as in the world today, the U.S. central forces will continue to make a major contribution to deterrence.

Third, British and French nuclear forces are important elements in the nuclear posture facing the U.S.S.R., and the exclusion of those forces from the treaty is one of the important points which was successfully negotiated.

Finally, in any event, the treaty does leave NATO with very large European-based forces capable of striking Soviet territory.

Personally, it is my view that the United States and its allies should have given greater consideration to the possibility of a walk-in-the-woods-type agreement, in which a relatively low, equal level of intermediate-range missiles was permitted each side. But there were various arguments against making such an agreed, limited deployment our objective.

And it is essential not to lose sight of the broad points about our military capabilities that are permitted under the treaty. When the reductions are complete, the United States will have in place essentially all of those nuclear delivery systems, based in the theater, capable of reaching Soviet targets, that it had in 1983, when the Pershing and ground-launched Cruise missile deployment began. These are principally aircraft, notably the 150 F-111 bombers in Britain. But they include other systems with a range capable of reaching significant Soviet targets.

The European allies also have attack bomber forces significantly contributing to the total capability.

To be sure, these systems are in some ways less desirable for the mission than the Pershing II's and ground-launched Cruise missiles. But collectively they represent a nuclear delivery potential several times as large as those missiles. And their numbers are so large, relative to a plausible scale of a distinctively NATO attack, that there can be no reasonable doubt that whatever its other problems with respect to the use of nuclear weapons, NATO would have ample, available, and effective forces to mount the attack and carry it to its targets.

The second argument of the critics has to do with the credibility of the threat, even if we had technically adequate forces in terms of numbers.

Again, the basic strength of the alliance and the basic reason for the credibility of the U.S. commitment to it is that it is in our interest to defend Western Europe. So long as those interests exist—and there is no sign they will change any time in the foreseeable future—the United States will have a vital interest in the security of Europe.

The Soviets understand this. That is why they seek so vigorously to divide us from our European allies.

But they also recognize that, so long as the United States has that vital interest, they run a grave risk of nuclear war with the United States if they were to attack successfully in Europe.

Indeed, the principal reason, in my view, for improving NATO's conventional defenses is not to pursue the illusion of being able to forswear any reliance on nuclear weapons, but to make it all the more clear that our conventional defenses could be overcome only after an effort so great that it would be virtually certain that we would use nuclear weapons rather than accept defeat.

The American commitment to use nuclear weapons, if necessary, in the defense of Europe carries grave risks. But it has never been riskless. American leaders since the Soviet Union first developed nuclear weapons have assumed that in a war between the United States and the U.S.S.R., there would be a high probability of nuclear weapons destroying American cities.

The scale of Soviet forces today makes those risks unequivocally clear. It does not create a risk where none was thought to exist before.

All of this is by way of saying that the credibility of the U.S. nuclear guarantee rests on a bedrock of interest—not the details of marginal changes in weapon systems. To be sure, it is essential that we have the forces needed to back up our collective commitments. But, as I have stated before, it is my view that the post-INF Treaty forces will amply meet the requirement of the capability to strike targets within the Soviet Union if we decide it is in our interest to do so.

And if the relative balance counts for anything, the treaty clearly has a favorable effect. There is a strong element of historical forgetfulness in some of the criticisms of the treaty.

Ten or 15 years ago, when the SS-20's were new on the scene, the conventional wisdom was that they, by their greater capability and survivability, represented a new Eurostrategic Soviet capability that threatened the very structure of the alliance.

If those comments had any validity at the time—and they were central to the political argument for the deployment decision—the removal of those SS-20's should at least be of some favorable effect.

There is much to do in the alliance. The treaty is a relatively limited step. It does not, by any means, eliminate the need to continue to adhere to the alliance and to continue to strengthen its military capability.

We with our allies must recognize that both the conventional and the nuclear capabilities of the alliance have to be improved. We need a continued U.S. commitment to maintaining our forces in Europe at at least their present levels, a collective commitment to needed improvement in the equipment readiness, sustainability and interoperability of allied forces and to the better exploitation of technology. An important, if unpleasant addition, is a recognition that, so long as NATO is needed, NATO will need a strong nuclear element in its deterrent arsenal.

As we think about future arms control, I think it is essential that we be honest with ourselves that nuclear weapons are a harsh

fact of modern life. They are not going to be eliminated, either by agreement or by technological miracles.

Substantial reductions in the Soviet potential for conventional assault would be a major favorable factor in Europe; but it would not, in itself, guarantee security.

History is full of instances of successful attacks by smaller, more concentrated, conventional forces on larger, less-ready adversaries. A major example was the attack carried out by the Germans against the Soviet Union in 1941.

In the past few years, we have heard claims that we can no longer carry on NATO's policies. It is my view that, carried out properly, the alliance can continue to preserve peace and stability in Europe for the indefinite future, if need be, and that the INF Treaty, far from making a continued doctrine of flexible response impossible, either politically or militarily, leaves ample weapons for the mission and can, if we are wise, create the political base for a credible nuclear element in NATO deterrence for the indefinite future.

[The prepared statement of Mr. Slocombe appears in the appendix.]

The CHAIRMAN. Thank you very much, indeed, Mr. Slocombe, for your testimony. Thank you all—General Rogers, Mr. Perle, and Mr. Slocombe, for your testimony. It will be very helpful.

I ask unanimous consent to insert into the record a statement by the Lawyers' Alliance for Nuclear Arms Control, following Mr. Perle's statement.

[The information referred to appears in the appendix.]

The CHAIRMAN. We will now proceed to questions with the 10-minute rule applying.

I would ask you, Mr. Perle, in connection with the destruction of the nuclear warheads associated with missiles that are to be eliminated, do you believe that we should have sought to destroy the nuclear warheads?

Mr. PERLE. No, I don't, Senator. I don't know of a practicable way to destroy the warheads.

The CHAIRMAN. I think that is the essential problem. I think many of us would like to see them destroyed, but there is no practical way of doing it.

Then I also understand that on each side there are certain secret or private measures in the development of the nuclear devices that we would not have exposed to the other.

Is that correct or not?

Mr. PERLE. I think that is the sort of argument that you make after the fact, but that isn't the reason why the treaty doesn't provide for the destruction of warheads.

It was never conceived, from the very beginning, to entail the destruction of warheads. It was never proposed by either side.

The CHAIRMAN. The most important criterion used to judge an arms control agreement is whether or not it lessens the chance of war. Normally, we make this judgment by asking ourselves whether the incentive that is there is going to increase the initiation of a nuclear war or decrease it.

Do you believe that this treaty increases or decreases the possibility of nuclear war?

Mr. PERLE. I frankly consider the possibility of a nuclear war so low that I believe this treaty has no effect on it whatsoever.

The CHAIRMAN. Do you mean that on a scale of 1 to 10, you would put the possibility of a nuclear wardown at zero?

Mr. PERLE. I don't think the elimination of these weapons will in any way diminish or increase the likelihood of nuclear war.

The CHAIRMAN. Actually, as I said in my opening statement, this treaty does not have any great military effect. It is merely, as I said, like the elevator that has been going up and up, and now it is stopping and lowering a tiny bit.

Would you concur in that estimate?

Mr. PERLE. Well, I think it does have at least one very important military effect, and that is it would preclude what in my judgment is an important conventional option for the United States and its allies; that is, the deployment of more effective conventional forces, so that we are not so dependent on threats to use nuclear weapons in response to conventional attack.

So, ironically, the principal military effect, in my view, has to do with the impact on our conventional forces and not our nuclear ones.

The CHAIRMAN. What do you see as the effect upon the nuclear threshold? I guess in view of your first response, that you don't see a nuclear war, it would have no effect.

Mr. PERLE. Well, I came to the conclusion some time ago that the Pershing II's and the ground-launched Cruise missiles were much too vulnerable to attack, and, in order to deter effectively, weapons need to survive an attack on them, a preemptive attack on them.

These are weapons that were intended, when they were conceived, to be highly mobile and widely dispersed, and, therefore, extremely difficult for the Soviets to attack and destroy.

As time wore on and as the deployment got underway in Europe, however, both the Pershing II's and ground-launched Cruise missiles were largely confined to their operating bases, which numbered seven—maybe it would go up to eight—seven or eight bases. And, at those bases, they were vulnerable even to conventional attack, or attack by Soviet special forces.

As a matter of fact, the first Pershing II site constructed anywhere in the world, was constructed in the Soviet Union, not in Germany. It was an exact replica against which the Soviets trained their forces in destroying Pershing II's. They got to be pretty good at it.

So, I believe that the Pershing II's and ground-launched Cruise missiles would not have survived a Soviet attack and, therefore, contributed little to the overall deterrent capability of the alliance.

The CHAIRMAN. Thank you.

General Rogers, General Otis stated that the conventional force improvements which could provide NATO a more credible deterrent were not particularly expensive. As you probably read this in the press also, he noted that standardization of artillery, ammunition, prepositioning of additional food and fuel, and more expeditious introduction of the multiple-launched rocket system, standardization, et cetera, would have a very profound effect here. In other words, that it could be done without any great expenditure of money.

What is your own view in that regard, General Rogers?

General ROGERS. Well, Mr. Chairman, of the actions that need to be taken, there are some that are no cost, lost cost, and there are some that will be expensive actions that I believe need to be taken in the aftermath of this treaty.

For example, it will cost nothing for NATO to develop a strategy for arms control, which it does not have, and must have. Where does it fit in the overall strategy of NATO? What if Gorbachev offers up dual-capable aircraft, of which the pact has twice as many as NATO has. What is NATO's position on that?

What is its position on a nuclear free zone through Central Europe, which he has talked about?

That is a no-cost item to develop.

It is very difficult for 16 nations to come to an agreement on that, however.

Other actions that need to be taken, however, to keep the credibility of NATO's deterrence as high as possible—recognizing that it will never again be as high as it is today with the Pershing II's deployed, which the Soviets fear—it means that we must continue to try to get enhancement of conventional forces to the point that Mr. Slocombe had suggested, where they know they are going to have to fight for some time before we would have to resort to nuclear weapons. Those actions will be expensive.

We would also like to have sufficient conventional forces so that the SACEUR knows that he can get his reinforcements ashore from the United States, the United Kingdom, and from Canada; and to protect the nuclear systems that we have from being destroyed by the initial conventional attack.

But there are a series of other actions that need to be taken, which will be costly. For example, I think that we should implement fully the second half of the Montebello decision of ministers of defense of 1983. The first half, there be no more than 4,600 nuclear warheads in the European theater at any one time, that has been achieved in 1986.

But the second half of that decision was a commitment by nations to do several things. One is to develop and deploy a follow-on to the Lance missile, with greater range and greater accuracy. Second is to develop and deploy an air-to-surface standoff missile for tactical aircraft—not bombers, but for tactical aircraft—with a range of about 250 miles; to continue to modernize the artillery-fired atomic projectiles and to ensure that the Trident programs of the United States and United Kingdom are implemented.

There is another expensive item that is involved, and that concerns our dual-capable aircraft. It is the only theater weapon platform that we have today that I think is credible for deterrent purposes that has any chance of reaching Soviet soil.

We must ensure that we improve the air defenses at the bases where those dual-capable aircraft are located. We must ensure that they can penetrate the air defenses—that is an expensive item. We must also insure that we increase the ranges of these aircraft as new ones come along.

That is expensive.

I also, while I am on the subject of actions to be taken, would like to add two more, if I might.

One is that the United States must encourage the measures that the West Europeans are now taking in the aftermath of the Reykjavik summit to try to strengthen the European pillar of the trans-Atlantic bridge.

I also believe that we should seek a 50-percent reduction in strategic weapons. When we analyzed that proposal at Supreme Headquarters Allied Powers Europe, we found it did not violate the cardinal principle of accepting no agreement that impacts adversely on the credibility of NATO's deterrent. This one, we do not believe it will.

But there are certain things that need to be done in negotiating that, which I won't go into now, but I would like to at another time.

What I am really saying to you, Mr. Chairman, is that there are low-cost, no-cost, actions that need to be taken, but there are other actions that need to be taken that are expensive and that require considerable will on the part of the countries to implement them.

The CHAIRMAN. Thank you.

My time has expired.

Senator Helms.

Senator HELMS. Mr. Chairman, thank you very much.

General Rogers, you were Supreme Allied Commander for 8 years in Europe.

General ROGERS. Yes, sir.

Senator HELMS. Has anybody ever served longer in that post?

General ROGERS. No, sir.

Senator HELMS. During that time, what was your involvement in the INF negotiations?

How often were you consulted and that sort of thing?

General ROGERS. I was not consulted per se, Senator.

I learned what was going on in the negotiations through two sources. One, when the negotiating team would come to NATO headquarters to brief Ambassadors and others on the position that they were about to negotiate, or the results of their negotiations, I was permitted to have a representative in those meetings who would tell me what had occurred.

The second source was in my U.S. role State Department and a number of Embassies—to include the negotiators in Geneva—made available to me information on proposals and the progress being made at the negotiating table.

Senator HELMS. Would it be a fair assessment to say that in your capacity as Supreme Allied Commander, your job and the job of people under you was to prevent the takeover of Europe by the Soviet Union?

General ROGERS. My mission, Senator, was to make the contribution that my headquarters and those in Allied Command Europe could to the deterrence, the prevention, of war in Western Europe.

Senator HELMS. So, the answer is "Yes."

General ROGERS. Basically it is deterrence and not defense.

Senator HELMS. Well, I understand. That is a fine line, but that is the point of NATO in the first place.

Did you ever seek to meet with President Reagan to state your concerns about the procedures in the negotiations?

General ROGERS. No, sir, I did not.

I stated my concerns to the man for whom I served directly, which was the Secretary General of NATO.

I was invited at one time in the spring of 1987 to come back to see the President to present my view. I cleared that with the Secretary General. I canceled the trip, came back, but did not get to see him to make my presentation.

Senator HELMS. When you say "him," who is "him?"

General ROGERS. The President. To see the President.

Senator HELMS. But you were never invited to meet with the President?

General ROGERS. Yes, I was invited, as I said. But when I came back, I did not get to see him.

Senator HELMS. Why?

General ROGERS. The White House will have to answer that question. I did meet with Mr. Carlucci and General Powell, who were then in the National Security Council.

Senator HELMS. Well, I guess they did not want you, these subordinates, did not want you to rock the boat with concerns.

That reminds me, Mr. Chairman, of a good friend of mine, now retired and down in Florida, who was our Ambassador to Cuba at the time just prior to the takeover of Cuba by Castro.

He tried desperately through the State Department, through the normal channels, to see President Eisenhower. But he was always circumvented. He never got to see him. So, he resigned.

He wanted to assure the President of the United States, his good and personal friend, that Castro was a Communist and we had better watch out for him. But when he resigned, or sometime afterward, he saw President Eisenhower at a social function, and the President said why didn't you talk to me before you resigned, why didn't you let me know about this? He said, "Mr. President, I tried to, but I couldn't get through, I couldn't penetrate those people around you."

I would like to have your assessment, General, as to whether this treaty strengthens NATO or weakens NATO.

General ROGERS. It is my opinion that it weakens NATO.

Senator HELMS. Now, it has been said over and over again that European opinion is overwhelmingly in support of this treaty, and I have countered, as best I could, with conversations I have had with leaders in Europe, particularly in France, that say just the contrary.

How would you characterize the public or private views of Western European military leaders with whom you are familiar?

General ROGERS. There are two different opinions, in my experience. Publicly, they must support the position of their government because they are tied to their government.

Privately, they have told me of their concerns about this treaty.

But that is not unique with the military. I might say that political authorities were very upset, in my opinion, in the aftermath of Reykjavik and Gorbachev's apparent readiness to accept this agreement, as I mentioned. But for political credibility purposes, there was nothing they could do except to say "Yes."

When the short-range zero level INF proposal by Gorbachev came along, how could the politicians turn to their people and say

we can't accept this when it was only Gorbachev who had any weapons to give up?

So, I think, as I said, political credibility took a higher priority than that of the deterrence of NATO.

Senator HELMS. But that is true right here in this city. We have a lot of people who will say privately that this thing is a pig in a poke, and the pig may have a tuxedo on, but he is still a pig, nonetheless.

Let's talk about the Pershing II's and the ground-launched Cruise missile.

Are they too vulnerable to be an effective deterrent?

General ROGERS. No, sir.

I disagree with Mr. Perle on that issue because we took great steps within the command to get nations to agree to remove those weapon systems from quick reaction alert, where they were, in fact, bull's-eyes for incoming conventional missiles or other weapon systems should the Soviets decide to attack. So, we put the QRA missiles back into their bases. But once the tension would start to rise, all deploying nations had agreed with me that they would immediately move out into hide positions—not positions that they used in which to hide in training, but different hide positions—so that the enemy could not pick them up.

They are very difficult to locate once you get them out into a hide position.

Senator HELMS. Mr. Perle, article 9, paragraph 3, of the treaty, provides that no more than 30 days after the entry into force of the treaty each party shall provide the other with updated data for all categories of data in the memorandum of understanding, which we call "MOU" for short.

Does this mean that the Soviets can change their so-called MOU numbers after the treaty goes into force?

Mr. PERLE. Yes, Senator, it does.

This is one of the more serious loopholes of the treaty, in my view.

Senator HELMS. Well, as a matter of fact, the Soviets have already stated that they will, in fact, modify the MOU numbers. Haven't they done that?

Mr. PERLE. Well, they have already begun the destruction of some of the weapons, and we will therefore not be notified when the official figures are delivered. It is conceivable that they could claim to have destroyed a significant fraction of the SS-20 force prior to turning those numbers over to us, in which case we will have lost our right to observe their destruction, and we will have no choice but to take the Soviets' word for it.

Senator HELMS. Would the United States have the right to onsite inspections at sites where the Soviets have unilaterally, as you have described it, eliminated these missiles and launcher sites?

Mr. PERLE. No.

Senator HELMS. That is another loophole, isn't it?

Mr. PERLE. One of the things the Soviets have done is prior to the initial notification, they removed SS-20's from SS-20 related facilities, so that on the day of the notification, they were able to claim that those facilities were no longer associated with SS-20's and, therefore, they did not appear on the Soviet list.

Senator HELMS. So, these guys are playing chess while we are playing checkers. And we are about to be snookered again in my judgment.

Mr. PERLE. I think they are playing something called "three-card monte." [Laughter.]

Senator HELMS. My time is up.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. Thank you, Mr. Chairman.

I would like first to express regret at the absence today of Senator Biden, who has done remarkably fine work seeking to prepare for days like this and for other days on the INF Treaty.

We miss him.

I am delighted by the reports that he is recovering and that indicate he will be back, perhaps not before these hearings are over, but hopefully before we have completed our work on this treaty on the Senate floor.

I just want to express my pleasure at those reports and I also want to say that he has helped prepare us to deal with several aspects of this treaty in ways that perhaps others of us will have to take up while he is gone.

The CHAIRMAN. I would like to associate myself with those remarks.

Senator CRANSTON. Thank you.

Senator ADAMS. I would, too, Senator Cranston.

Senator CRANSTON. Thank you very much.

Senator BOSCHWITZ. I would, as well.

Senator CRANSTON. I want to thank all three of you for your appearance and for your testimony today.

I want to discuss General Rogers' assertion that loss of the Pershing II's will undermine deterrence. I want to explore that further with you.

I want to explore with Mr. Slocombe, who was one of the architects of the two-track system, from his days in the Carter administration, how the goals established way back then have been realized. Those origins of this treaty in the Carter administration demonstrate the bipartisan nature of the treaty that is now before us.

I think that is a very helpful history in terms of fulfilling the goals and concerns of both Democrats and Republicans that are now embodied in this treaty before us.

I want also to welcome Mr. Perle's testimony.

I would like to start with three observations about that. You are endorsing an arms treaty. Like President Reagan, that is a first. We welcome that, and I hope you will work on Senator Helms in that regard.

Second, I welcome the fact that you recognize, as both General Rogers and Mr. Slocombe do, the important Senate role in treaty-making and national security policy.

Third, I welcome your opposition to killer amendments, which, to use your words, would alter the essential features or confer unilateral advantages, or that are unattainable.

Parenthetically, I would like also to welcome your leadership in opposing certain provisions of the United States-Japan Nuclear Cooperation Agreement. We have every right, as Senators, to oppose

agreements or suggest changes in them when we think they are in order, and I am delighted that here we agree.

I, for one, deplore the revisionist history of certain Department of Defense bureaucrats who are trying to recant Secretary of Defense Weinberger's opposition to the agreement on national security grounds. I know that you have shared those views.

I hope that, when we have a hearing on that matter, you will be available to express those views to us.

Two major concerns of yours and of AEI emerge in regard to the INF Treaty that I would like to comment upon before getting to the questions that I have for each of you.

Concerning article 14, on noncircumvention, administration witnesses have repeatedly made clear that NATO modernization efforts are fully consistent with the INF Treaty.

Senator Biden has already discussed a reservation that I think we will offer in his absence to make certain there is no misunderstanding on this point. I am delighted that you endorse this initiative which has started out in this committee.

Concerning the GLCM ban, here, perhaps, you are a Lone Ranger, rehashing a battle you lost in DOD. The Secretary of Defense, past Secretaries of Defense——

Mr. PERLE. I won it in DOD.

Senator CRANSTON. I beg your pardon?

Mr. PERLE. I won it within the Defense Department, Senator.

Senator CRANSTON. Well, I gather that is not the position of DOD.

The Secretary of Defense and past Secretaries of Defense, like Jim Schlesinger, and the Joint Chiefs of Staff, men who today direct our military, agree that there is no military requirement for GLCM's.

Mr. PERLE. Oh, that isn't Dr. Schlesinger's view, to the best of my knowledge.

Senator CRANSTON. Well, I will cite his testimony in a moment.

Four observations I think need to be made about that position, your position, on GLCM's.

First, the Joint Chiefs say ALCM's and SLCM's could be used to cover GLCM targets.

Second, the total ban on GLCM's was reportedly a United States position in the negotiations with the Soviets. We reportedly did not want to let the Soviets into our far more advanced Cruise missile production facilities. So, as you oppose the view expressed by Senator Helms, that the INF Treaty must require destruction of fissile material—you dispute that view. Here, again, we are in agreement.

The logical conclusion of your criticism in regard to the GLCM's is to impose a verification regime that the United States seems to find unacceptable at present.

Third, as far as cheating scenarios go, a Soviet plan for covert use of nuclear GLCM's is extraordinarily remote, it seems to me, and to others who have testified before us. The United States can verify testing of a GLCM drone in a nuclear bombing mode, and the Soviets have little experience with nuclear GLCM's and would have extremely low confidence, I am convinced, in cheating with such an untested weapon.

Finally, I would disagree with your insistence that rewriting the provision to open the door to a conventional GLCM race would not constitute a killer amendment. Using your own definition, it would alter an essential feature, while unilaterally extending our present advantage in that particular realm.

I appreciate the fact that GLCM concerns, expressed by General Rogers, as well as by you, stem from uneasiness about the conventional imbalance and a desire to keep the nuclear threshold high. That is certainly a goal that all of us share.

Some members of this committee have been arguing that the conventional imbalance is so bad and debilitating that we cannot and should not ratify the INF Treaty until we have a 1-to-1 parity agreement between NATO and the Warsaw Pact on conventional weaponry.

So, my first question to any one of you, to the entire panel is, do you agree or disagree that accord on 1-to-1 parity in NATO-Warsaw Pact conventional forces should be made a precondition for INF ratification?

Does any of you support that view?

General Rogers.

General ROGERS. You do not need one for the mission that NATO has been assigned, Senator. With a deterrent mission or defense, if we fail in our deterrence, we don't need to match them 1-for-1 in any area of force capability.

Senator CRANSTON. Yes.

I assume that neither of you feel that that would be an appropriate reservation.

I see by the nodding of your heads that you concur.

Do you agree that such an agreement is not attainable, certainly at least not attainable promptly, and, therefore, such linkage would constitute a killer amendment?

General ROGERS. Senator, I think it is too late for that.

There was a try at one time to try to link a conventional agreement, a satisfactory conventional reduction agreement, with the INF. That failed.

I would hope that, as we move forward on the START, this would be one of the principles that we would follow in this country—slow down and link in some way a satisfactory reduction in conventional forces to an agreement on a 50-percent reduction in strategic weapons.

If the Soviets want the START agreement as much as I think they are viewed, I think there is a chance to continue to establish that kind of leverage. Otherwise, what is it that will cause them to asymmetrically reduce their conventional forces, which are the most important forces that they have in their own mind.

Senator CRANSTON. Mr. Perle and Mr. Slocombe, do you agree that such an amendment would be a killer?

Mr. PERLE. I think it changes the treaty fundamentally, and for that reason I think the Soviets would probably reject it.

Senator CRANSTON. Yes.

Mr. SLOCOMBE. I believe we should not get mesmerized by technical conventional parity as the objective of conventional arms control.

So, if I were going to invent a killer amendment, I would not invent that one. I would invent something I wanted.

Senator CRANSTON. In regard to the GLCM matter, Mr. Perle, I believe you said in your testimony before the Armed Services Committee that the United States has "the technological potential to produce Cruise missiles that are a substitute for nuclear weapons and for the foreseeable future the Soviets do not."

If that is true, why would it be in the Soviet interest to accept the amendment that you proposed?

Mr. PERLE. Because I think they want this treaty and they want it quite badly.

As you correctly observed earlier, it was a United States proposal to ban these conventional Cruise missiles, not a Soviet proposal. They did not press this with any vigor.

It is totally unverifiable. We cannot verify it. I don't know who has advised you that we can distinguish a test of an unarmed Cruise missile from the test of an armed Cruise missile. But it is rubbish. We cannot.

And there is no agreed definition of a test of an armed Cruise missile in this treaty. In fact, the treaty is silent on the issue of Cruise missile testing.

Senator CRANSTON. Well, let me say that my advice on that subject is based upon briefings that I have had in the Intelligence Committee. I reviewed that matter earlier this morning to make sure of my position.

That is not the sort of thing we can go into in an open session. But I am convinced, based upon what I have learned in those intelligence briefings, that the position that I have stated on that is correct.

Mr. PERLE. It is possible that the intelligence community, in support of the administration, is now changing its position. But it was not very long ago that I was in the administration getting those briefings, and I can say categorically that it was previously the position of the intelligence community that we could not verify such a thing.

I have seen intelligence change before for political reasons. I hope that has not happened here.

Senator CRANSTON. Well, I will stand by my position that we are presently told, for reasons that I cannot go into, that what I have stated is the position of the intelligence community, and I will be glad to explore further whether that is a change and what are the reasons for the change, whether they relate to new capacities, to new techniques, and so forth.

On the matter of new capacities and new techniques, I do believe—and I think we share this view, all four of us, I presume—that we need to enhance those capacities and techniques in preparation for a START Treaty.

My time is up, so I will stop there.

Mr. PERLE. Well, it is certainly the case that the verification regime for this treaty would be inadequate in the START Treaty. I don't know of anyone who disagrees with that—

Senator CRANSTON. Nor do I.

Mr. PERLE [continuing]. In or out of the intelligence community.

Senator CRANSTON. I don't know of anyone who disagrees with that, either.

The CHAIRMAN. Thank you very much.

Senator Kassebaum.

Senator KASSEBAUM. Mr. Perle, when Senator Cranston said that he is pleased you embrace this treaty, it somewhat reminds me of how one might embrace a porcupine.

But you have been very instrumental, and I am interested in your statement that you think the Senate has a role to play in addressing amendments as needed, and one that you feel very strongly about is the conventional ground-launched Cruise missiles.

It is my understanding that the Joint Chiefs of Staff have not ever really been very supportive of this concept, that we have had no plans, as a matter of fact, to proceed with any conventional GLCM's, and the Soviets have.

I would like to ask General Rogers if, given evidently what has been a view of the Joint Chiefs of Staff, how important do you feel it is to have a conventional ground-launched system.

General ROGERS. Well, I think it is important to have such a system. Whether or not it is necessary to have it to the range of the ground-launched Cruise missile I think is another question.

I had always believed that if we could get the follow-on to the Lance missile, which was a commitment at Montebello, out to a range of a minimum of 150 miles, and we could have a conventional warhead for that in addition to the nuclear which is proscribed by Congress, and if we could have an air-to-surface missile that could have a range of about 250 miles with both conventional and nuclear warheads for the purposes of the follow-on force attack, which was of great importance to Allied Command Europe, that would be satisfactory.

Following on later will be the army tactical missile system and the joint tactical missile system. I think that all of those systems will be within the ranges that I have described, which would be under 300 miles.

Senator KASSEBAUM. And all of those would be allowed under the INF Treaty, those modifications.

General ROGERS. They would be allowed under the INF Treaty, but they are not allowed to have conventional warheads at the present time because of the congressional proscription against it. All that we can have is nuclear, but we can't afford to have single-capable weapon systems in NATO. We must have at least dual-capable.

So, I am hopeful that the Congress will remove that restriction.

Senator KASSEBAUM. Would that address your concerns, Mr. Perle?

Mr. PERLE. No, it wouldn't.

I do not deny for a moment that the Chiefs have been sluggish on this issue. They often lack imagination. This is not the first time in history that the Chiefs have failed to realize a major change that could significantly affect our security.

The fact is if you ask the JCS can you provide by some other means the capacity to attack and destroy critical installations on which a Soviet invasion of Western Europe would depend without

nuclear weapons, I don't think they have a proposal, except for this one.

There is a lot of parochialism and in-built resistance to this sort of idea. The Air Force thinks that Cruise missiles ought to be delivered by aircraft and the Navy thinks they ought to be delivered by ship.

But what we will do if we proceed with the treaty in its present form with this provision is kill not just now but forever, because this treaty is in perpetuity, the possibility of an American Cruise missile with a range greater than 500 kilometers, ground based.

It will not have the same effect on the Soviet Union because this provision is unverifiable and I could give you half a dozen different ways that the Soviets could circumvent this provision if they chose to do so.

So, you could wind up, conceivably, with the Soviets having this capability while we do not.

I think it is a great mistake to do that.

The President of the United States was asked to resolve this dispute at least four or five times. Every time except the last he resolved it in favor of retaining the option.

Walt Slocombe will tell you that the same issue was brought to the President repeatedly; that is, the nuclear versus nonnuclear Cruise missile issue, when he was in a post similar to mine in the Carter administration. And every time it got settled the right way except the last.

In my judgment, this was done for the shallowest possible reasons because some people were afraid that if they came to this committee with an agreement that permitted conventional Cruise missiles, somebody would say "Well, how can you verify that these conventional missiles are not, in fact, nuclear." For that reason and that reason alone, we are foreclosing for all time a potentially very important option.

I think it is a great tragedy to do that. It is unnecessary. I don't believe that the Soviets would walk away from this treaty because it permitted what is a noncentral position.

In the old days, we used to call these measures intended to get at verification "collateral constraints." They were never considered to be essential features of the treaty, and this one is not an essential feature either.

Senator KASSEBAUM. Mr. Slocombe, do you have any additional comment to make on that?

Mr. SLOCOMBE. I am struck by the fact that we did have very much the same experience. On the merits, I agree with Mr. Perle.

However, I observe that each time the President of the United States, faced with the issue of what final decisions had to be made in order to get a treaty that could both be signed with the Soviets and be acceptable to this committee and to the Senate and to the country, decided that it was not in the United States interest to press the option—and it is only an option, though a meaningful one—of very long-range conventionally armed ground-launch Cruise missiles, and decided to change the position.

I think there may be a lesson in that, that there are some issues which are clearer to Presidents than to people in the kind of job that Mr. Perle and I had.

Senator KASSEBAUM. What was President Carter's thinking on it? Do you know what caused him to change his mind?

Mr. SLOCOMBE. I think President Carter's judgment was in part based on verification. I think nobody can dispute that the sign of the effect on verification of banning both nuclear and conventionally armed Cruise missiles is clearly positive. If you don't have to worry about long-range, conventionally armed Cruise missiles, that is one less thing you have to worry about being used to disguise nuclear Cruise missiles. So I think probably verification was an important consideration for President Carter, as I assume it was for President Reagan.

Second, the fact is that, while long-range conventional GLCM's is an interesting, very long-term technology, at least in 1979, it was simply not something which we had any immediate program to move forward on. Therefore it was difficult to argue for introducing some verification uncertainty for what, at that time at least, seemed a wholly theoretical capability.

Senator KASSEBAUM. To move on for a minute, Mr. Perle, you spoke about amendments that would not be supposedly killer amendments.

Senator Helms—I hate to ask about his amendment when he is not here—but he has suggested an amendment regarding the need to have onsite inspection in Cuba because of the possibility of violations of the Soviets in placing SS-4's or SS-5's in Cuba.

Do you think this would be an important amendment?

Mr. PERLE. No, I don't. But then I don't think we have on-site inspection that is adequate in the Soviet Union. So why go all the way to Cuba?

This treaty is largely unverifiable. We should not kid ourselves into thinking otherwise. If the Soviets wish to hide SS-20's, they can do so and we will not know it. I don't know of anyone who holds a different view.

Senator KASSEBAUM. Well, the argument is, however, that if they test, if they launch, we will know it, and that they are no good just hidden.

How do you interpret that?

Mr. PERLE. I think, in fact, the justification for accepting a treaty, the central provision of which is unverifiable, is precisely that; that the military value that the Soviets could hope to derive from cheating is modest.

Now, that military value would go up in the event of a START Treaty.

Senator KASSEBAUM. Let me go to onsite inspection before my time runs out.

Is it not true that actually we had concerns about onsite inspection and the fact that the Soviets could demand various places here in this country for such inspections?

Mr. PERLE. Sure, but that depends on who the "we" is, of course. You had an alliance between people who did not want to demand intrusive inspection from the Soviets.

Senator KASSEBAUM. Would that have concerned you?

Mr. PERLE. No. As a matter of fact, it did not concern me much.

Senator KASSEBAUM. Would it you, General Rogers?

General ROGERS. I wasn't listening, Senator Kassebaum.

Senator KASSEBAUM. Well, that is an honest answer. [Laughter.] Would onsite inspection, intrusive inspection, by the Soviets in this country on demand have been a concern to you, if we had pushed for that?

General ROGERS. Well, I think it was of concern to industry in the fact that there are some things they would not wish to have open because they are highly sensitive and they are projected for the future.

But, frankly, when one speaks of onsite inspection in this country, as contrasted to within the Soviet Union, with the open society that we have and with the oversight of the Congress and of the press about our cheating, you know, the Soviets won't have any trouble getting the information they want at the time they want it, in my opinion.

It is different in the Soviet Union, and when they close certain parts of the Soviet Union to inspection, then it is onsite for where they say we can have onsite, and it is not onsite at other places.

I have the same problem that Mr. Perle has on that.

Senator KASSEBAUM. Thank you.

My time is up.

The CHAIRMAN. Thank you very much.

Senator Adams.

Senator ADAMS. Thank you, Mr. Chairman.

Gentlemen, it is a pleasure to have you here this morning.

Mr. Perle and General Rogers, I want to be certain that I am clear about this.

It is my understanding that you have a disagreement as to whether or not the INF Treaty will affect deterrence in Europe, and I read first from your statement, Mr. Perle, which says, "I know there are those who believe that elimination of intermediate missiles will weaken, rather than strengthen, Western security. I disagree."

This is on page 3 of your statement, and then you go on.

General Rogers, you state on page 10 of your statement, "I am concerned that the treaty violates the cardinal principle I enunciated. It reduces the credibility of NATO's deterrence in Soviet eyes."

I just want to know—do not the two of you disagree on the effect on deterrence, is that not correct?

Mr. PERLE. We do.

Senator ADAMS. You say that we do, Mr. Perle.

General Rogers.

General ROGERS. Well, he did not mention deterrence in that sentence you read, but I am sure that is what he meant.

Senator ADAMS. Well, I will continue on if you want because he says something that I happen to believe also.

For my part, I believe the decision to use nuclear weapons against the Soviet homeland in response to a Soviet conventional attack on Europe would be of such momentous consequence as to dwarf the issue of whether the chosen weapon was of intermediate or intercontinental range.

General ROGERS. Yes, we do disagree.

Senator ADAMS. That is what I wanted to be certain of, that you do disagree.

I don't mind you disagreeing. I just want to be certain that we have that on the record.

Incidentally, Mr. Perle, we have disagreed on many things in our lives for many years, but I certainly agree with you on what I have read from your statement. I just cannot conceive of escalating into a limited nuclear weapon exchange, whether it is on the Soviet homeland or not, without escalating to a more total nuclear exchange.

It is almost unthinkable to me.

Now, we will discuss theater range weapons later.

General Rogers, I think your statement makes it clear, and I have asked other witnesses this also, that NATO is not what might be referred to as a "noodle arm." We have in the central plain of Germany the capacity to certainly hold the Russian divisions in conventional forces for, I believe you mentioned 2 weeks, but at least for some period, 4 days to 2 weeks.

General ROGERS. Under optimal conditions we can hold them only for less than 2 weeks, because of a lack—

Senator ADAMS. All I am trying to establish here—I am not trying to trap you in any way—is just that there is a substantial period of time, and I consider 4 days to 2 weeks a substantial period of time, where everybody can consider the decision of a military invasion on either side of the NATO line at any point in the NATO line by the pact nations, or Russia.

We have a period of time.

General ROGERS. Under optimal conditions. But there have been times in exercises when I would have had to have fought with my troops in the barracks because political authorities would not give us the opportunity to move up our scale of alert measures to get our troops forward so that we could meet an attack.

So, when I'm saying "optimal"—

Senator ADAMS. Obviously, General, any of us can create a scenario where everybody is asleep.

General ROGERS. No, I didn't create it.

Senator ADAMS. I'm not saying you did.

General ROGERS. The political authorities created it, Senator.

Senator ADAMS. I am just saying, General, that we have, with the German divisions and the United States divisions in the central portion of Europe a substantial and formidable conventional force.

General ROGERS. We have a force that can fight, if it can get to its positions and prepare those positions. But it would take a minimum of 5 days. It will fight extremely well, but it will only fight for less than 2 weeks because it cannot sustain itself longer.

Senator ADAMS. I understand that. We will discuss at later times—not in this hearing—the potential for sealift, airlift, what is necessary for more sustainability.

But all I am getting to is the point that there is a disagreement between the two of you, and, second, that there is a period of time in which a military decision to use a conventional force or otherwise, regardless of its size, is going to have to be considered by both sides because there is the opportunity—God willing it never happens—for the use of either long-range missiles, sea-launched missiles, or a variety of nuclear missiles, which, to me, is not a war. It is the end of the world.

That is all I am trying to establish. I think I have done that.

If I have misrepresented you, please state it to me because I want to turn to Mr. Perle on this idea of redundancy now because I am concerned about it.

General ROGERS. What I have said, Senator, is that neither you nor I can make that judgment. That judgment is contingent solely upon 16 nations unanimously agreeing that we can take those prudent precautionary measures to get our troops in position to fight. If they do that, sir, you are right, we will have a period of time when we can fight conventionally.

Senator ADAMS. General, I am just talking about German and United States divisions that are available, and onsite, and are in continuous training over there. I am not talking about the entire NATO force.

What we are discussing is the real world of somebody crossing the border and moving into the German homeland.

General ROGERS. But, Senator, those German troops are assigned to Allied Command Europe. And Allied Command Europe is within NATO.

Senator ADAMS. I don't want to take my time to argue with you. That is a judgment that the American people and the Senate will have to make. I just cannot conceive of the reality of a major invasion into that area by the Soviets or the pact nations not being responded to by the troops that we have and the German troops.

Mr. Perle, I want to be certain about article 14 because you have said it is either redundant or it is capable of causing undesirable things to happen.

I want to read it to you and then I am going to go to the NATO Treaty and the ABM Treaty. And I want to state to you in advance that article 14 of the INF Treaty is almost identical with what is in the NATO agreement and ABM treaty. This is standard, boiler-plate-type of language.

If you want to deny it and say that it is something else, then please use my time to do so.

Article 14 says, "The parties shall comply with this treaty and shall not assume any international obligations or undertakings which would conflict with its provisions." That is article 14.

Now, the NATO Treaty, article 8, says, "Each party declares that none of the international engagements now in force between it and any of the other parties or any third state is in conflict with the provisions of this treaty, and undertakes not to enter into any international engagements in conflict with this treaty."

The ABM Treaty says in article 10, "Each party undertakes not to assume any international obligations which would conflict with this treaty."

So, I think your arguments on article 14 are maybe something that some group of scholars want to argue about, but they are standard provisions in international treaties and they are simply a portion of this treaty, not something tricky that has been dreamed up for this.

Isn't that correct?

Mr. PERLE. Well, Senator, I don't know what it means and I don't know how the Soviets might attempt to apply it.

For example, would an agreement between the United States and one of its NATO allies to supply technology that that ally might use to build a weapon system that the Soviets could claim violated the terms of the treaty, would that permit the Soviets to invoke article 14 or not?

Senator ADAMS. Well, have the Soviets done this with regard to the NATO Treaty, which I read to you?

Mr. PERLE. The Soviets actually argued that the deployment of Pershing II's and ground-launched Cruise missiles was inconsistent with the counterpart provision in the SALT Treaty. So, they are capable of such argument.

Senator ADAMS. They argued, but in the case, for example of the ABM Treaty, they did not renunciate it, did they?

Mr. PERLE. No.

Senator ADAMS. What I am getting at is that this provision is a necessary and standard part of international treaties treated by international lawyers year in and year out as part of what is a legitimately negotiated treaty.

Mr. PERLE. All I am saying, Senator, is if it adds no obligations beyond the obligations of the treaty, then there should be no harm in saying so.

I think that language is there because the Soviets insisted on that language.

Senator ADAMS. Well, it is in our ABM Treaty and it is in our treaty with our allies, is it not?

Mr. PERLE. I think one wants to distinguish between treaties among allies and treaties between adversaries.

Senator ADAMS. Of course. But I have both here.

Mr. SLOCOMBE, am I correct? What do you state about this?

I just do not want article 14 to become a problem in the ratification of this treaty, if I can avoid it.

Mr. SLOCOMBE. I believe the United States has made clear that in arms control treaties, provisions like this do not add additional obligations, and in particular do not interfere with our cooperation with our allies.

I am not enthusiastic about asking the Soviets what they think on the subject.

Senator ADAMS. Thank you, Mr. Slocombe.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Adams.

Senator Boschwitz.

Senator BOSCHWITZ. Mr. Perle, you have said that the arguments about destroying the guidance systems and also the warhead portions were arguments that were devised after the fact, after the treaty was negotiated, to support the fact that it was not included in the treaty; that the destruction of the guidance system and the warheads was not even considered.

I would like to ask, Why it was not considered during the course of the negotiations?

Mr. PERLE. I think we have always considered that the nuclear component of the warheads is best recycled so that the nuclear material can be used in another nuclear weapon.

The alternative would be to dispose by difficult storage means of perfectly good nuclear material while going out and buying precise-

ly the same nuclear material for other weapons that are coming into the inventory. So, it just makes no sense not to recycle that nuclear material.

Senator BOSCHWITZ. And the guidance system?

Mr. PERLE. Well, there may be some salvage value with respect to the guidance system.

Senator BOSCHWITZ. I presume there is some salvage value to all of the weapon, not just those two parts.

Mr. PERLE. Well, sometimes it can be a unique component that would not have application elsewhere. As far as I know, we never considered it.

Senator BOSCHWITZ. You made the interesting comment that the first Pershing II site was an exact replica, you said, of something that we had not even built. It is not clear to me how it can be an exact replica.

Mr. PERLE. They anticipated our plans rather well.

Senator BOSCHWITZ. Did they?

Mr. PERLE. Yes. They build faster than we do.

Senator BOSCHWITZ. They are more single minded in a way, I suppose.

I was very interested in your proposed amendment to the treaty with respect to nonnuclear Cruise missiles, GLCM's. You say they are far cheaper and less vulnerable to attack or attrition than a nuclear GLCM.

It is not clear to me why that is so. Would not a nonnuclear GLCM also be put in bases? Why would it be considered more mobile or less easily attacked?

Mr. PERLE. Well, the principal reason for congregating nuclear weapons in bases is that in most democratic societies it is considered undesirable to have nuclear weapons out in public. And when they are moved, they are moved heavily surrounded by security.

They are not difficult to find, partly for that reason. Whereas the movement of nonnuclear weapons is a relatively easy matter. They would be dispersed, I am confident. In peacetime they could be dispersed in many countries that will not accept nuclear weapons.

The Spanish, for example, might be willing to take nonnuclear Cruise missiles, the Portuguese, the Norwegians, and others, so that one would have spread throughout NATO a great many conventional Cruise missiles, which I believe would be beyond the Soviet capacity to target and destroy.

And they would have to reckon, therefore, that those Cruise missiles could be used against critical Soviet targets, if they were to invade. I believe we are becoming much too dependent, unwisely dependent, on nuclear threats to protect the security of this country and its allies. And those threats can vanish.

That is, the effectiveness of those threats can vanish overnight when they are deemed to be noncredible. And I would like to see us have something in between no formidable conventional capability, and total dependence on nuclear weapons.

Senator BOSCHWITZ. If your provision were adopted, would you then, find cause for objection on the basis that you would not be able to distinguish the nonnuclear and the nuclear?

Mr. PERLE. No. I would not. And by the way, Senator Boschwitz, it is the position of the administration, the same administration

that argues it is necessary for verification, purposes to ban conventionally armed ground-launched Cruise missiles, it is the position of the administration that we will insist on retaining conventionally armed sea-launched and air-launched Cruise missiles while putting limits on nuclear ones.

So, they are tying themselves in knots, I think, foolishly.

Senator BOSCHWITZ. However, the verification of ship-launched Naval Cruise missiles certainly is much more difficult than ground-launched Cruise missiles. Would you not agree with that?

Mr. PERLE. You cannot do it in either case. I could give you three or four different ways that the Soviets could, if they wished, deploy nuclear Cruise missiles. They could accomplish that without our knowing it.

For example, the treaty permits conventionally armed Cruise missiles with a range of 500 kilometers.

Senator BOSCHWITZ. With under, yes.

Mr. PERLE. Well, no more than 500 kilometers. The Soviets could build a 499-kilometer ground-launched Cruise missile and put a 2,000-pound conventional warhead on it.

Now, if at some subsequent point, they took off the 2,000-pound conventional warhead and put on a small nuclear warhead, that Cruise missile could fly 2,000 kilometers rather than 500. So, it is easy to violate this provision. It simply cannot be verified.

And in my view, when you have a provision that cannot be verified, given the way we respond to treaties, which is by implementing them strictly, even though it might be possible to violate them without getting caught, you, in effect, hand the other side a right that you do not have, an opportunity that you do not have.

Senator BOSCHWITZ. That seems to be more of a problem, the one you have just expressed, of having a conventional Cruise missile with a 499-kilometer range, with a 2,000-pound warhead that could be substituted with 150, than the unarmed Cruise missile exception, because I presume that there is a certain limitation.

Mr. PERLE. No. The treaty has no limitations at all on unarmed cruise missiles.

Senator BOSCHWITZ. You could have scores of unarmed, hundreds of unarmed Cruise missiles around. I suppose you would have a little difficulty explaining what they are all for.

Mr. PERLE. Maybe for reconnaissance.

Senator BOSCHWITZ. Hundreds?

Mr. PERLE. Well, you do not have to reveal the hundreds, you see. You reveal enough so that you have testing, training, and all the rest.

Look, this is not a difficult treaty to violate, Senator. And I believe the intelligence community, at least prior to the submission of the treaty to the Senate, put the potential for verifying compliance somewhere in the 10- to 20-percent region.

So, we should not kid ourselves about verification. And once we acknowledge how difficult it is, then it seems to me we ought to be guided by our requirements, and not by the mistaken belief that we are making an essentially unverifiable treaty more verifiable by forgoing options that could be important to us.

Senator BOSCHWITZ. Do you think it is important, Mr. Perle—and I ask the same question of General Rogers, and perhaps ask the

General to answer first—that we should by reservation or some other indication clearly tell the Russians what steps we will take in the event the Soviets violate the treaty? And can we do that?

General ROGERS. Well, I would hope there could be some language crafted by those who are paid to do such things that would make the message very clear to the Soviets that we are tired with their failing to comply with treaties.

However, I do not believe that the ultimate means to cause compliance, that is putting the weapons system back on European soil after they have been removed, and we then decide that we will put those weapons systems back.

I just do not think that is feasible, because the West European nations will not go through the trauma once again that they underwent from 1979 to 1983, between the time of decision and the time of deployment.

So, what measures, what language that lays out measures that will be taken by this country, I just do not have a suggestion for that. But I would hope that it is made very clear to the Soviets that we are tired of this failure to comply.

Senator BOSCHWITZ. Mr. Perle, do you have suggestions as to how we could craft language that in view of the history of noncompliance, as General Rogers points out, what can we say to the Soviets in advance as to what we are going to do in the event they violate this treaty as well?

Mr. PERLE. I think it is very difficult to know now what would be in our interest at some subsequent time. Frankly, the history of support for the President when he has found violations in the past has been a pretty discouraging one, as you know.

The President attempted to take the position that we would no longer be bound by some of the SALT II Treaty provisions when the Soviets violated that treaty, and he was voted down in the Congress of the United States.

So, I think it would be very difficult to get a commitment now as to what we would do in the future.

Senator BOSCHWITZ. May I ask a final question, Mr. Chairman? And, by the way, not by my vote was he criticized in that regard.

May I ask both of you gentlemen, what would happen if the treaty is not now ratified? In the case of General Rogers, do you feel the interests of the country would be heightened or that we would have an advantage by not ratifying it?

And Mr. Perle, I would ask you to comment, what would happen in the event the treaty is not now ratified?

Mr. PERLE. I believe it would do serious harm within the alliance.

It would underscore once again the division between the executive and legislative authority, with which our allies and adversaries already, well, our adversaries have opportunities, but our allies have considerable difficulty.

General ROGERS. Senator, what I am here to do is to lay out my perception of the impact of this treaty on NATO as a whole, not just on the United States.

However, in your consideration of whether or not to ratify, you do have to take into account the impact that failing to ratify might well have on NATO itself.

For example, for the first 4 years that I was in Allied Command Europe, I was continuously reminded by European political authorities, some at the highest level, of their great unhappiness and the adverse impact that it had had when President Carter, after he had tried to convince the allies that they should accept the so-called neutron bomb on their soil, and then, just at that juncture, the President decided not to deploy it. I can tell you that caused all kinds of difficulties within the alliance.

Second, whether the treaty is ratified or not, these weapons are coming out of Western Europe. There is no nation in Western Europe that has deployed these weapon systems that has a coalition or minority government that can continue to keep those weapons on its soil, now that the United States has declared that they are not necessary for the defense of freedom in Western Europe.

The only one that would have a chance does not have a coalition or minority government, and that is Mrs. Thatcher. Even with Mrs. Thatcher, I do not believe that she could put up with the political pressure from her people to keep these weapon systems on British soil after the treaty.

And this Nation has told Western Europe, you do not need these systems for the purposes of deterrence and for the protection of your freedom. So, they are coming out anyway.

The CHAIRMAN. Thank you very much. Senator Sarbanes?

Senator SARBANES. Mr. Chairman, I would like to follow up that point.

General Rogers, in view of those comments, are you for ratifying this treaty or against ratifying it?

General ROGERS. Senator, that is a decision that I do not have to make. The Senate does. And that is a copout.

But what I am saying is, I am laying out in front of the members of this committee my view of this treaty and its impact upon NATO's deterrence. That is only one of the factors that I would think the Senators would have to put into their equation of decision as to whether or not to ratify.

I will say, Senator Sarbanes, that failing to ratify might well have a major adverse impact upon NATO and upon its future viability.

Senator SARBANES. I want to come back to you on that. But let me draw out Mr. Perle and Mr. Slocombe on that question.

Mr. PERLE. I have urged that the treaty be ratified, Senator. At the same time, I believe that it has a number of ambiguities and loopholes and uncertainties that can and should be cleared up.

Senator SARBANES. What do you think the consequences of not ratifying it would be?

Mr. PERLE. Well, I think it would be quite adverse politically within the alliance. I think there would be disappointment within the alliance.

This is a treaty we have signed, and I think we ought to go ahead and ratify it.

Senator SARBANES. Is it your view that further deployments of U.S. intermediate-range systems would not be able to take place, and that our existing deployments would be in jeopardy, if the treaty were not ratified?

Mr. PERLE. Oh, I think it would be extremely unlikely that we would be permitted to keep the missiles we have already deployed. And it goes without saying we would not be permitted to deploy new ones. And the Soviets could keep their SS-20's.

Senator SARBANES. So, under this logic if we did not ratify, we would lose what we already have deployed, while the Soviets would continue to keep what they have deployed?

Mr. PERLE. That is right.

Senator SARBANES. Mr. Slocombe, what is your view?

Mr. SLOCOMBE. I am in favor of the ratification of the treaty.

Senator SARBANES. What is your view on the consequences of not ratifying?

Mr. SLOCOMBE. I think it would not only mean that we would have to pull out the Pershings and the ground-launched Cruise missiles, but that our ability to maintain any kind of coherent nuclear deterrent in NATO would be very, very much called into question.

The United States should have ratified the SALT II Treaty. General Rogers' observation about the fiasco with the neutron bomb is certainly accurate.

For the United States, for what I think are entirely inadequate reasons and probably by a minority vote, a blocking vote in the Senate, to fail to ratify this treaty would have disastrous effects on the political cohesion of the alliance. And I think in very short order it would have very serious effects on the military alliance and not just on these two weapon systems.

Senator SARBANES. Well, General Rogers, let me put this question to you.

If the treaty were not ratified, and the consequences of that would be that the existing INF deployments by NATO would be lost while the Soviets would keep their SS-20's, what is the logic or merit to nonratification?

General ROGERS. I think that is the position in which the Senate has been put. Whether the Senate, well, I cannot speak for the Senate.

But I do think that is the position in which the Senate finds itself today.

Senator SARBANES. Well, how can you offer the option of not ratifying, if the consequence of that would be that NATO deployment would be lost and the Soviet deployment would remain?

General ROGERS. I have not recommended not ratifying, Senator. I mentioned that I do not have to make that decision.

What I am here today to do, and have tried to do in my statement, is to lay before you my view, after 8 years as the commander, as to the adverse impact it has upon particularly our West European allies.

Senator SARBANES. Well, I am trying to draw you out obviously on the adverse impact of not proceeding with the Treaty.

You have set out the adverse impact of proceeding with it, which is a reasonable thing to do. But it also seems to me reasonable to inquire of you what the adverse impact would be of not ratifying it.

General ROGERS. Well, I think a Senator must decide whether or not he has been put in the position of having to ratify whether or not he likes the treaty.

Because, as I mentioned, another factor that must go into that equation of decision is the view of a Senator as to what the impact would be if we fail to ratify. And I did say to you that it might well have a major adverse impact upon the future viability of NATO if we failed to ratify.

Senator SARBANES. Well, now, if the likely outcome of a failure to ratify would be that our intermediate-range missiles would have to come out and the Soviets could keep theirs, is that not the worst of all results?

General ROGERS. There may be others that are worse, but I cannot think of one at the moment.

And that is why I think that is a position in which the Senate finds itself today, because the West European nations will not continue to keep those weapon systems on their soil now that the decision has been made that they are not needed, a decision by this country.

Senator SARBANES. Let me ask the panel this question. How much of the concern that seems to be floating about this Treaty stems from what was said at Reykjavik, as opposed to the elements of the INF treaty itself? The Reykjavik meeting seemed to me to call into question the whole doctrine of nuclear deterrence, and I wonder how much of the concern flows from that perception?

Mr. PERLE. I think that is a major part of the problem, Senator Sarbanes.

The impression that was created at Reykjavik, although there has been a lot of inaccurate reporting about what was proposed and by whom, but nevertheless the impression that was created was that we were moving rapidly toward a nuclear-free world.

Our allies understand perfectly well that they would be in grave jeopardy in a nuclear-free world. So would we, in my view. And because the elimination of intermediate-range missiles can be portrayed as a step in the direction of the denuclearization of Europe, Reykjavik added greatly to their apprehensions.

In the absence of those concerns, I think that even some of the critics of this agreement would be a good deal less concerned about it.

Senator SARBANES. Mr. Slocombe.

Mr. SLOCOMBE. I agree. I think this administration has been in the funny position of being sort of "rightwing freezeniks" on some of these issues, of imagining that the objective, a realistic objective is a nuclear-free world.

A lot of Europeans saw what was proposed at Reykjavik as the beginning of an unraveling of the U.S. commitment to nuclear weapons. I think it has had a very profound impact.

But it is not just the administration. There are plenty of people in this country and in Western Europe who talk as if we can relatively easily, in a relatively short period of time, move to nonnuclear deterrence and defense in Europe.

It just is not true. Insofar as the treaty contributes to that illusion, we need to make clear that in ratifying the treaty we are not contributing to the illusion.

Senator SARBANES. General Rogers.

General ROGERS. I agree, Senator Sarbanes, that stigmatizing nuclear weapons, as has been done by this administration, when in

fact they are the foundation of the deterrence in NATO, has caused problems on the other side of the Atlantic.

Second, as we have gone from a range of 1,500 miles with the ground-launched Cruise missile, to the 1,100 miles range for the Pershing II down to 300 miles now, as the Germans will be very quick to point out, what we have left in theater will in fact fall upon East or West German soil, and that causes our German allies some difficulty.

There is and will continue to be pressure to move to a third zero level, that is to get rid of those below the 300 limit hopefully keeping the dual-capable aircraft. And we should fight against that, because it is very important to keep what we have left after this agreement.

Senator SARBANES. Thank you. My time is up. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Senator Evans.

Senator EVANS. Thank you, Mr. Chairman. Let me proceed in one other way on the question Senator Sarbanes asked.

Mr. Perle, on ratification, if no amendments whatsoever were adopted by the Senate, do you still think, on balance, it would be appropriate to ratify this treaty?

Mr. PERLE. Yes, I do. Although I think the Senate would have missed an opportunity to improve this treaty.

Senator EVANS. First, let me ask Mr. Slocombe if you would agree, if no amendments were adopted by the Senate, would it still be worth ratification?

Mr. SLOCOMBE. I have not so far heard any amendment proposed that seems to me something so important that we ought to reopen the negotiations with the Russians over it. So, I would be in favor of ratifying the treaty without amendments.

Senator EVANS. General Rogers, I give you another chance. You still do not want to be a Senator?

General ROGERS. I do not want to be a Senator. Thank you, sir. [Laughter.]

Senator EVANS. OK. Mr. Perle, you have made several suggestions in your paper on changes you think would be useful.

Is there any one of those that you think is most critical or as being of the highest priority?

Mr. PERLE. Yes. Clearly the highest priority change in my view would be restricting the treaty, as I think was intended from the beginning, to nuclear systems.

And adding the word "nuclear" in the appropriate place in article 2, paragraph 2, so that nonnuclear Cruise missiles would be permitted.

Senator EVANS. If you do that, do we end up with a huge opening or loophole for the Soviets?

This proposal may be helpful to us, but if we end up with scads and scads of ground-launched Cruise missiles whose warheads can readily be changed does that not almost certainly destroy whatever ability we have to verify this treaty?

Mr. PERLE. Well, I do not think we would, I do not think the Soviets have a requirement for those. But if they did, Senator Evans, they could accomplish the same purpose in one of several ways.

They could deploy a Cruise missile, a ground-launched Cruise missile, with a nominal range of 500 kilometers that could, in fact, go much further than that. They are permitted under the treaty to deploy sea-launched and air-launched Cruise missiles, and they can test them from ground launchers.

So, there are a variety of ways in which they could cheat if they wished to do so. They could have unarmed Cruise missiles, which are permitted. That is, reconnaissance Cruise missiles. And they could add a nuclear warhead, if and when that became convenient for them.

So, we really have no protection against cheating on this provision. And the net effect of the banning of conventionally armed Cruise missiles is to stop us and not the Soviet Union.

Senator EVANS. Would it be a violation of the treaty, in your view, to have an unarmed ground-launched Cruise missile stored away from the nuclear warheads that could fit it as long as they were separated?

Mr. PERLE. I see no provision in the treaty that would bar that.

Senator EVANS. On either side?

Mr. PERLE. Well, we could not do it as a practical matter.

Senator EVANS. Why not?

Mr. PERLE. Because it would be such obvious circumvention of the spirit of the treaty that I just do not believe it could be done.

Senator EVANS. Well, on the one hand you say it is not a violation of the treaty, but now you say if we were to do it it is an obvious circumvention of the treaty.

Mr. PERLE. I think there is a dual standard here. And the standard that we apply to ourselves is far more stringent than the standards the Soviets apply to themselves. Or frequently the standard that we apply to the Soviets.

Senator EVANS. General Rogers, you were SACEUR in 1981, as I remember, when President Reagan first proposed the zero-zero option.

I presume that from that time forward, in your capacity both as a high-ranking official of the U.S. military and also as SACEUR, that you had opportunities to meet with top officials in the administration.

Did you in any of those meetings strongly recommend against the zero-zero option that was then being proposed?

General ROGERS. In 1981, Senator, when this was proposed, the record will show that I said publicly——

Senator EVANS. I am not so concerned about what you said publicly. What I am really concerned about is the advice you gave privately.

General ROGERS. Well, let me just say that I said publicly and privately to those officials within NATO to whom I reported that I thought it was a magnificent political ploy, and would help in dampening down the demonstrations.

But militarily, it gave me gas pains, because it reverted us to the position we were in in 1979. I still feel that way.

Now, with respect to my position on this and to whom I presented it, I presented my position to the Secretary General, who was my immediate superior as the Supreme Allied Commander Europe.

Senator EVANS. But you did not present it to any of those at high levels in the administration here at home?

General ROGERS. I met at one time with Ambassador Nitze on this very subject at NATO headquarters, and at that time laid out my position.

Senator EVANS. No opportunity to present it to the Secretary of Defense at that time?

General ROGERS. The Secretary of Defense? Yes, I saw the Secretary of Defense and he knew what my position was, because he would come to the ministerial meetings.

I had an opportunity to come to speak to the President. But when I got here I was not able to see him.

Senator EVANS. General Rogers, in your testimony you talk about some of the rationales for what the allies may say about the treaty. And then you refute of each of those rationals.

On page 14, you talk about what the Soviets are eliminating comprises only about 3 percent of their stockpile of nuclear warheads. Nearly all of the remaining 97 percent can be targeted onto those same installations in NATO's rear area thereby keeping the risk high and on the backs of the Western Europeans.

Presumably some share of that 97 percent would be their intercontinental ballistic missiles, which could be retargeted.

General ROGERS. They could do that. Yes, sir. If they wish to re-target.

Senator EVANS. Then on page 15, you say in terms of our own submarine-launched ballistic missiles, that they are strategic weapons, always have been, and are so considered in arms control negotiations.

You say that Soviet surveillance platforms could discriminate between the launching of land-based and submarine-based but they could not tell whether the SLBM's they observe breaking the surface of the ocean and headed toward the U.S.S.R. were theater or represented the initiation of a United States-United Kingdom strategic strike.

General ROGERS. That is correct.

Senator EVANS. Would that not also be the same problem in our detection of the launch of a Soviet land-based intercontinental ballistic missile, not knowing when it was launched, whether it was headed for European or an American target?

General ROGERS. Oh, yes. We would know.

Senator EVANS. How do you know the difference there when they would not know the difference on a submarine launch?

General ROGERS. Because of the orbit.

Senator EVANS. Well, how do we react at the instance of launch?

General ROGERS. Well, we would have 30 minutes before the decision has to be made whether or not we are going to launch under attack. And we would observe the orbit and determine whether or not in fact it was heading our way.

Senator, I would like to add one thing when you finish, which is a clarification of your first question with respect to my providing information.

Senator EVANS. Why do you not go ahead and do that now?

General ROGERS. Thank you. The record will show that there had been an exchange of messages between me and the Chairman of

the Joint Chiefs of Staff in my U.S. role commenting upon the probability of Gorbachev accepting a zero level and the impact it would have.

I do not want to leave you with the impression that there was no information within the U.S. Government that came from me that laid out my concerns about this.

Senator EVANS. That is what I was trying to get on the record.

General ROGERS. In fact, it is on the record, and it will show within the message traffic.

Sir, may I speak to this question of the strategic use, or using strategic weapons for deterrent purposes for NATO?

Senator EVANS. Surely. But if I might, well, I see I am going to run out of time. Maybe we will have to do it in a second round.

I did want to get to Mr. Perle on something he said earlier, which was, I am not sure whether you said that the Soviets have started to destroy missiles, or that they may start to destroy missiles covered by the INF treaty before the treaty might be ratified by the Senate.

Mr. PERLE. I believe they have already begun.

Senator EVANS. Do you think that that creates a problem in terms of adherence to the treaty, when the numbers have already been set forth? The treaty clearly calls for an identification and observation of the destruction of each of these; it just will not wash to say, "Well, we destroyed them before the treaty was ratified."

Mr. PERLE. Senator, I refer to this as a loophole, because in fact the treaty obliges the parties to declare 30 days after entry into force the number of prohibited systems in their possession. And the other party then has the right to observe the destruction of those.

Now, let us say, for example—

Senator EVANS. You are suggesting that they will revise the numbers they have given preliminarily?

Mr. PERLE. There is no question they are going to revise the numbers. The only issue is by how much.

There is nothing in the treaty that would prevent them from notifying us 30 days after entry into force that all but 10 SS-20's have been previously destroyed, in which case our right to observe the destruction would be limited to the 10 that they declared on that date.

Senator EVANS. Is that an argument for a rapid signing of the Treaty and ratification as fast as possible?

Mr. PERLE. No. It is an argument for clarifying a loophole that should never have been there, and would not have been there if we had not done this in such a frantic rush at the tail end.

This seems to me a problem easily settled by an exchange of correspondence. That is, we should ask the Soviets to tell us that they do not intend extensive destruction of SS-20's in this interval.

And if they were to plan such destruction, they might, as a matter of comity, invite us to observe it, even though our observation rights only begin with ratification of the Treaty.

Senator EVANS. I understand. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much indeed. Senator Kerry?

Senator KERRY. I have no questions, Mr. Chairman. Thank you.

The CHAIRMAN. Very well, everybody has had one round. And I hope we can complete this before our respective caucuses.

I would like to have inserted in the record in the appropriate spot the press report put out by Marvin Fitzwater, Assistant to the President, yesterday, which says:

The SS-4 and SS-5 missile sites established in Cuba between late August and mid-October 1962 were confirmed as having been destroyed in that year. We are also confident that the missiles were removed from Cuba at that time. We have had extensive intelligence collection directed at Cuba since 1962 and have no evidence that SS-4's, SS-5's, or any other strategic missiles have been deployed there.

The CHAIRMAN. General Rogers, you said earlier that part 2 of the Montebello decision included a commitment to develop and deploy the new Lance missile, as well as other programs.

But in the Montebello declaration, there is no reference to it. It just talks about a commitment to withdraw 1,400 nuclear weapons from Europe. When did these specifics come into the declaration?

General ROGERS. The commitment was made at the Montebello meeting that there would be these four actions taken in conjunction with the withdrawal, with the elimination of the additional 1,400.

The CHAIRMAN. So, it was done verbally then, but not in the communique?

General ROGERS. It may not have been in the communique, but you will find all of those who were associated with that on both sides of the Atlantic maintaining that that did happen and it must be done.

The CHAIRMAN. Thank you. In view of the time constraints, I have no further questions.

Mr. PERLE. Senator, might I just add, since I chaired the committee that produced the report, the Montebello report was unanimously adopted by NATO ministers in its entirety. And it concluded extensive recommendations for the improvement of the remaining forces.

The CHAIRMAN. Thank you. Senator Helms.

Senator HELMS. Thank you, Mr. Chairman. I saw Mr. Fitzwater's statement in the press this morning. And I will just comment that whoever wrote that statement had better know that it could not possibly withstand cross examination.

There is no way that Mr. Fitzwater, who did not write the statement, could be confident about anything in that regard. And we can discuss that in a private session.

General Rogers, you discussed low cost and high cost options, which NATO must consider. Can you put a ballpark figure on the cost of the high option?

General ROGERS. No, sir. I cannot.

Senator HELMS. Would you give us some range?

General ROGERS. It would be something in which I would not have any confidence, to try to give a range on that, with respect to both the conventional and the Montebello decision. So, no, sir, I could not.

Senator HELMS. I have heard all types of figures and I do not know how you could pinpoint it unless you knew what the circumstances were.

But it would be billions upon billions of extra dollars, unless we are going to stand back and let Europe be engulfed by the Communists.

Now, I am going to ask this of Mr. Perle or General Rogers, or both. It concerns a militarily significant force. In 1981 the Pentagon studied the issue of how many SS-20's constituted a "militarily significant force."

The conclusion that I recall was that as few as 50 SS-20's, missiles and launchers, with some reload capacity, missiles, could attack and destroy virtually every critical military installation in Western Europe. Is that accurate?

Mr. PERLE. That is correct, Senator.

Senator HELMS. Do you agree, General Rogers?

General ROGERS. I am not familiar with the report. But I would think that that figure would be in the ball park.

Senator HELMS. OK. Now, obviously, the question is, in the judgment of both of you, How many SS-20's would today constitute a militarily significant force?

General ROGERS. I know of no reason to change that finding of 1981.

Mr. PERLE. I would agree with that.

Senator HELMS. What would you rate as the odds that the Soviets would be able to maintain a covert force of that number outside the scope of this treaty?

Mr. PERLE. I think they could do it, Senator Helms. That is, if they were to hide that number of missiles and leave them in a relatively inactive storage, the likelihood that we would detect that is extremely small.

Over time, the military capability of that clandestine force would diminish, unless they were able to test and train and do the other things associated with forces in an active inventory.

One of the questions that needs to be looked at closely is the extent to which the testing and training functions could be concealed within the active and permitted SS-25 ICBM program.

We know that the first stage of the SS-20 is indistinguishable from the first stage of the SS-25. I do not know about the second stage. But this is an issue that it seems to me ought to be looked at in some considerable detail.

Because if it is possible to accomplish the testing and training activities necessary to keep a covert force at a high state of effectiveness within the permitted SS-25 program, then I think clearly the Soviets would have a significant military capability. And we would be unlikely to detect that.

Senator HELMS. Of course we would. And the SS-25 is not covered by this treaty.

They can play all sorts of games with that, including rebolting and the rest of it, according to the testimony we have had, acknowledgments we have had, and admissions that we have had before this very committee by those who advocate this treaty.

Now, should U.S. troops remain in Europe, or those parts of it where the third zero, that is total denuclearization, is achieved either by a future treaty or policy?

Mr. PERLE. I do not know how we, in good conscience, could ask 300,000 American troops to serve as poorly defended, as poorly protected as they would be, if they had no nuclear weapons.

Given the fact that the Soviets would, of course, have nuclear weapons that could reach our troops, and they would be permitted

in the absence of a nuclear threat emanating from our side to use their conventional capability in a much more effective way.

So, I would not want to ask our troops to stay under those circumstances.

Senator HELMS. There are a lot of mothers around this country who feel the same way. Do you agree?

General ROGERS. I agree.

Senator HELMS. Should the Senate consider addressing this issue by amendment or reservation or whatever, if not as a part of the treaty, how should the United States express to the Europeans our views about this, assuming that this Government's views will be along the lines of yours?

How can we do that? By reservation, amendment? Or are we going to stick to this business of a clean treaty without amendment or reservation, that sort of thing?

Mr. PERLE. Well, it would not require either a reservation or an amendment to make it very plain to our allies that the position of our forces would be untenable, if they were not adequately provided with a nuclear capability.

That could be done without requiring acknowledgment by the Soviets. It could be done in a whereas clause to the treaty. There are a number of ways to do it.

Senator HELMS. In any case, you do agree that we ought to send a message to them?

Mr. PERLE. Yes, I do. And in fact, I think most of our allies recognize that the defense of Europe would become untenable without nuclear weapons on our side.

But there are a few in Germany and elsewhere who are prepared to indulge some sentiment on the left to the contrary. And I think it is quite dangerous to do that.

Senator HELMS. Well I, for one, do not want one American boy to die in an exercise in futility as a result of this or any other treaty. And I am sure you feel the same way about it.

Quickly, and I believe you covered this in the Armed Services Committee, but I am not sure, but let me explore it in any event. Under your reading of this proposed treaty, would flight tests continue to be permitted in the intermediate range for missiles that also have ICBM capability?

Mr. PERLE. Senator, I believe this is another loophole. That is, if a missile is tested at 5,500 kilometers or above, it is not considered an intermediate weapon.

If it is then tested below 5,500 kilometers, it is still not considered an intermediate weapon, because it would by virtue of the previous test, have been classified as a strategic weapon.

This is a loophole that was brought to my attention by Senator Nunn, and it is one of many. I would like to propose for insertion into the record the study to which I referred in connection with my testimony, which details a number of these.

Senator HELMS. Mr. Chairman, I so request that this document be made a part of the record.

The CHAIRMAN. Without objection.

[The information appears in the appendix.]

Senator HELMS. As a matter of fact, there is no limitation at all on the frequency of such flight tests. Is there?

Mr. PERLE. No. The Soviets could circumvent this provision. There is no doubt about it.

Senator HELMS. Is there any provision of this treaty that would preclude the Soviets from initiating extensive flight testing of their SS-25's at intermediate ranges? I know the answer to that. It is no. Is it not?

Mr. PERLE. That is correct, sir.

Senator HELMS. Would it be regarded as a violation of the treaty if the Soviets subsequently deployed missiles that had been flight tested at intermediate ranges?

Mr. PERLE. Not if they were first tested at intercontinental ranges.

Senator HELMS. Correct. Now, is this not a sort of fundamental defect in this treaty? It is a loophole, as you have described it.

Mr. PERLE. I believe in dealing with the Soviets that it is important to be very precise because, they do not acknowledge the spirit of treaties, they acknowledge only the letter of treaties.

And where the letter is defective, as I think it is in a number of instances, it is important to settle that before ratification. And I hope the committee will go through paragraph by paragraph, article by article, and where these problems exist at least take some action to acknowledge their existence, if not correct it, which would be better, so that if there is a subsequent pattern of Soviet behavior, at least the Senate will not have been taken by surprise.

Senator HELMS. Do you feel the same way, General Rogers?

General ROGERS. I do.

Senator HELMS. As Chuck Sewell, a very fine lawyer down in North Carolina, used to say, "Call your next case." Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Helms. Senator Cranston.

Senator CRANSTON. Thank you, Mr. Chairman. I would like to return briefly to the matter of the intelligence community's capacity to verify ground-launched Cruise missile affairs.

It is really not clear how much thought has been given to this specific matter, outside of the context of INF, which is a fairly recent development, obviously. So documentation may be not easy to come by.

I personally question whether the responsible leadership of the intelligence community would change its position on a matter this vitally linked to our security for political reasons.

As you suggested, Mr. Perle, as you know it is rare, if ever, that all elements of the intelligence community agree on anything. And it is, of course, possible to find an analyst somewhere that will agree to almost anything. So, I just do not know at this point.

Mr. PERLE. No, I did not mean to suggest that they had. But I was surprised to hear you say that the intelligence community takes a more extravagant view of its capabilities than I have always known them to take in the past.

Senator CRANSTON. Well, we are going to have Webster with us tomorrow in closed session. So, we can go into that tomorrow at that time, and we will.

During the famous "walk in the woods" talk in 1983, Ambassador Nitze explored a proposal under which the United States would have been permitted 300 ground-launched Cruise missiles with zero

Pershings while the Soviet Union would have been allowed 75 SS-20's but no ground-launched Cruise missiles.

They, of course, were talking about nuclear ground-launched Cruise missiles. But in view of the remarkable destructive capacity and the accuracy of conventional ground-launched Cruise missiles, which is why you like them, and the difficulty the Soviets would have in confirming or determining whether a ground-launched Cruise missile was nuclear or conventional, it does not seem to make much difference whether they were talking about conventional or nuclear.

Mr. PERLE. Well, what I have in mind, Senator Cranston, is a Cruise missile that does not now exist, so it would never be built in a nuclear version, which of course would make it much easier.

Senator CRANSTON. Well, if we were to seek, as you have suggested, that we assert the right to proceed with ground-launched Cruise missiles, if we wish, is it not possible the Soviets would then want something in return, like keeping some SS-20's?

Mr. PERLE. It is possible they would want something in return. But I would think keeping SS-20's would not be an appropriate response to what, as you rightly observed, was an American proposal.

We did this to ourselves. And while the Soviets might wish to exploit our discomfort at changing our mind, I do not believe that they would pass up this treaty in which they are vitally interested over the issue of conventionally armed Cruise missiles.

Senator CRANSTON. If it is your view that they would not pass up the treaty over this issue, although it is quite possible they would seek something in return, whether they would get it or not no one knows, I would like to ask how you would feel about the choice between getting what you are advocating on GLCM's or getting the treaty? If you had that choice, what would your choice be?

Mr. PERLE. Well, I really do not think it boils down to that.

Senator CRANSTON. Suppose it did.

Mr. PERLE. The implication is, suppose the Soviets would say, under these circumstances you cannot have the treaty, and nothing in the negotiating history suggests that that is their attitude.

And I believe that, had we said to the Soviets, we are prepared to eliminate nuclear but not conventionally armed Cruise missiles, the Soviets would have gone along with that. They have gone along with it so far anyway in the case of sea-launched and air-launched Cruise missiles. So, I think they could live with that.

Senator CRANSTON. Suppose it did turn out to be a killer, though. What would your view then be? This is hypothetical, I recognize.

Mr. PERLE. Well, then, if it turned out to be a killer, I would not favor it.

Senator CRANSTON. Good. I would like to ask a general question of any of you to get the various views you may have on this.

Do you believe we have adequately funded our intelligence collection capabilities for arms control purposes? Not so much as it relates to INF, but as it relates to a future possible START Treaty.

General ROGERS. I am not in a position to answer that, Senator.

Mr. PERLE. I believe that funding is only one of the problems. Far more difficult than the funding problem is the analytical problem, and the difficulty of drafting treaties with such clarity, that

one can tell on the basis of even quite good information whether a violation has taken place.

Senator CRANSTON. But do you believe that if we are moving toward a START Treaty, that we probably should enhance our capabilities and that that will require some additional investment?

Mr. PERLE. Oh, yes, for START, absolutely. And we will need more than just money. We will need much more intrusive procedures.

Senator CRANSTON. That would be my view also. If you had to decide between allocating money for arms control monitoring improvements, or for more new weapons, given our budget choices in the deficit environment, what would you choose?

Mr. PERLE. That is an awfully difficult question. I mean, the two budgets are so disproportionate at the margin I really cannot answer that.

Senator CRANSTON. Do you have a comment?

Mr. SLOCOMBE. Since there is no unclassified figure for the intelligence budget, I cannot tell whether it is high enough or not.

But I do think that in thinking about the application of intelligence resources to arms control, we should focus on the things which are important and not on the things which are technical, trivial issues of counting down to the last four significant figures. Because we run a risk of wasting vast resources on marginal issues, and losing track of the more important ones.

I believe that there tends to be a focus on the capillaries and a loss of interest in the arteries, when you get down to arms control verification.

Senator CRANSTON. I would like to ask you another question on a different matter.

President Reagan announced that the United States would abandon its policy of informal adherence to the limits of SALT II. If the Soviet Union shows it could now add new strategic forces to compensate for reducing its SS-20's, those new strategic forces could be programmed to cover the same targets that the SS-20's have been covering.

In the absence of a new agreement covering strategic arms, should the United States seek to maintain informal limits on strategic arms, in your opinion?

Mr. SLOCOMBE. I believe we should.

Senator CRANSTON. If we do not achieve a potential START agreement, would this loophole become increasingly important?

Mr. SLOCOMBE. If we do not achieve a START agreement, then the whole process of arms control collapses. The fact that we have agreed to limit this very small part of the total spectrum of nuclear weapons becomes kind of irrelevant one way or the other.

Senator CRANSTON. General Rogers, I have one question for you.

In his recent testimony before this committee, former Secretary of Defense, James Schlesinger, said, and this is a fairly long quote from him:

While there are those in certain military headquarters and in some European capitals who suggest that the nuclear deterrence of the Soviet Union is provided only by those forces assigned to Allied Command Europe, this has not been the case in the past and should not be the case in the future.

The Soviet Union is deterred by the overall power of the United States whether or not forces are specifically assigned to NATO. It is a form of parochialism in Europe to suggest that the Soviets have basically been deterred by a relative handful of weapons in Europe, none of which were deployed before 1983.

I would appreciate your comment or response to those assertions. Do you agree with Dr. Schlesinger's view that if the Soviet Union is not deterred by the 12,000 warheads in America's strategic forces that can reach Soviet soil, then the Soviet Union will not be deterred by the 12,400 warheads that could reach Soviet soil when we throw in that handful of weapons that will be withdrawn under this treaty?

General ROGERS. I agree. As I point out in my statement that the third response in the strategy of flexible response, which is the general nuclear response, is the thing that guarantees the deterrence of NATO.

I do not agree with the statement that you therefore should use strategic weapons solely for the response in a conventional attack as an alternative to capitulation. I do not think that makes any sense.

It did not back in 1967, when we gave up massive retaliation for flexible response, because the Soviets had developed a second-strike capability by which they could retaliate against a first strike by us.

I do not believe it is credible to be perceived as giving up escalatory options of a theater nature and going either to capitulation or to the general nuclear response of strategic exchange.

And the Soviets must understand that we do have escalatory options, which gives them the opportunity then to cease and desist in their conventional attack without our having to use strategic weapons, which will in fact cause the strategic nuclear forces of the Soviet Union to strike the United Kingdom and the United States.

I do not think that is credible. It was not in the late 1960's, and I do not think it is today.

Senator CRANSTON. Thank you.

General ROGERS. And to include the submarine-launched ballistic missiles with the warheads that are assigned to the SACEUR, I do not think that is credible for the reasons that I quoted in my statement.

Senator CRANSTON. Thank you.

The CHAIRMAN. Thank you very much. Senator Kassebaum.

Senator KASSEBAUM. Mr. Chairman, I would just like to clarify something, which, if anyone was listening, may seem to be misleading.

We are not talking about a denuclearized Europe in the INF Treaty, and any need to guarantee to parents that our troops will not be protected because of any denuclearization of Europe.

We have sea-based capability, we have air-based capability. Is that not correct? So, we are really not talking about that in the INF Treaty. General Rogers.

General ROGERS. What we are talking about is the perception of the Germans now that in theater land-based weapon systems we are reduced to ranges which singles Germany out because they land on her soil or on East German soil.

And there will be pressure, as we have seen, with the support of the East Germans and the Soviets, to go to a zero option. Now, if

we go to the third zero option but we can protect our dual-capable aircraft and do those things that I suggested be done with the dual-capable aircraft, we retain a nuclear capability.

On the submarine-launched ballistic missiles, I think that is wrong to consider using them for theater purposes. But whether or not you would want to use sea-launched Cruise missiles with nuclear warheads, which we will have in the Mediterranean, that is another question.

Senator KASSEBAUM. But it really does not pertain to the specifics of the INF Treaty.

General ROGERS. Oh, no. It would be a follow-on, a third zero level that would be a follow-on to this.

Senator KASSEBAUM. Mr. Slocombe.

Mr. SLOCOMBE. Absolutely. This treaty does not involve the denuclearization of Europe, and it ought not to be thought as a step toward the denuclearization either of Europe or of the world in general.

Senator Helms' proposed amendment would be more constructive if it also included some American commitment to maintain forces in Europe, and to maintain a nuclear element in the U.S. commitment to Europe.

So stated I think most people would support it. I would not ask the Russians for their opinion of it. We know the Russians' opinion. We are not interested.

Senator KASSEBAUM. I really would like to get into now the conventional arms negotiations. I would assume all three of you believe it is very important to have linkage between any START agreement and the arms, conventional arms agreement. I certainly know you do, General Rogers.

General ROGERS. Yes, I do.

Senator KASSEBAUM. I could not tell, Mr. Perle, about you.

Mr. PERLE. There is none now, Senator Kassebaum.

Senator KASSEBAUM. I know there is not.

Mr. PERLE. I think we are unwisely, frantically racing to conclude a START Treaty by a Moscow summit, and I think it is dangerous and irresponsible to do that.

I am deeply concerned. There is no linkage to anything except itself.

Senator KASSEBAUM. But if there were, would you think then that the 50-percent reduction in the strategic missiles has merit?

Mr. PERLE. Provided it is the right 50-percent, and provided it is verifiable.

Senator KASSEBAUM. There are a lot of "ifs."

Mr. PERLE. A lot remains to be negotiated.

Senator KASSEBAUM. I know. But I think in your opening comments you just focused on START, and obviously were opposed, as it is proceeding at this point.

Mr. PERLE. I am opposed to rushing to complete a treaty that cannot be responsibly negotiated in the time available. We have not begun to come to grips with the verification problem, even within the U.S. Government, much less across the bargaining table.

In my view, if a START Treaty permits mobile ICBM's, it is going to be virtually unverifiable, except with a verification regime

that goes way beyond the current INF Treaty. And I do not see how that can be negotiated in such a short time.

Senator KASSEBAUM. We are on the horns of a dilemma, really.

Mr. SLOCOMBE. I am certainly not in favor of the administration rushing into a START Treaty without having it properly negotiated, especially the verification provisions.

But I would not be in favor of linking it to a conventional arms agreement, because I think an agreement which is broadly along the lines of what is being negotiated would be in our interests.

It is not a favor we are conferring on the Russians that we can then use to get concessions on conventional arms control. The alliance has an awful lot of thinking to do about what it wants in conventional arms control.

I do not think conventional parity on some artificial static measure is a terribly useful objective. So, I would not be in favor of that linkage.

Obviously, I would be in favor of taking time to be sure a START agreement is properly drafted.

Senator KASSEBAUM. When you mentioned the alliance has not done a lot of thinking along what they want, that goes back, I believe, to something you said earlier, General Rogers.

I do have to wonder how much we are doing jointly as far as thinking where we want to go, either with what we would like to achieve with a strategic agreement, or conventional arms, and how much we are doing in conjunction with our NATO allies at this point in mapping out the future course of any of these negotiations.

Mr. SLOCOMBE. My understanding is there is a process of consultation. The conventional arms control problem is vastly more difficult than the nuclear problem.

It is orders of magnitude more difficult. It raises in many ways more difficult political issues as well. And while I am sure there is a lot of thinking going on and a lot of discussion, there are a lot of countries and a lot of bureaucracies involved.

General ROGERS. Senator, there is a task force, which under the Deputy Secretary General of NATO is trying to develop the NATO position for input into the conventional stability talks.

Senator KASSEBAUM. Was this done during the INF negotiations as well?

General ROGERS. No. During the INF and during the START, it is the United States advising and consulting with its allies, as it did on the INF Treaty, as to what its positions are going to be, and so on.

But the conventional is in a different context. NATO has a part to play in that, because it takes into account all conventional forces from the Atlantic to the Urals. And that takes account of most of the allies.

Senator KASSEBAUM. What do you think are the prospects for successful efforts?

General ROGERS. I personally believe that the prospects of getting a reduction in the conventional forces to a balanced and verifiable level are as good as the prospects of getting additional resources committed by nations to enhancing our conventional forces.

So, that is why I suggested we must do both, we must try both.

Senator KASSEBAUM. If I may just leap for a moment to the Special Verification Commission vis-a-vis the Standing Consultative Commission, I think it is your view, Mr. Slocombe, that in the past we have not taken instances where we believe there have been violations to the Consultative Commission.

We have not used it as effectively as perhaps it could have been used. Is that correct?

Mr. SLOCOMBE. Senator, I am not privy to what has and has not been taken to the SCC in this administration. In previous administrations, it proved to be a reasonably useful forum for working out compliance problems.

My impression is, that, to put it mildly, when we raised compliance issues with the Soviets in this administration, in the SCC, we were not given any answers or any responses which suggested that this was a very useful forum to pursue. That may be wrong, but that is my impression.

Senator KASSEBAUM. And, Mr. Perle, I think you have not ever been very supportive of the SCC. Do you think that the Verification Commission, the new format, it will still be a problem?

Mr. PERLE. They have changed the name, that is all.

Senator KASSEBAUM. And it is far, far less clearly defined about what role it actually will play, and it will have a different makeup for any different question raised.

Does it not even perhaps open greater cause for concern about how it will be used?

Mr. PERLE. I think if the Soviets violate the agreement, and they do not want to admit that they have violated the agreement, then whatever forum is created for the discussion of it will turn out to be ineffective in establishing a Soviet admission of guilt.

Senator KASSEBAUM. Well, that is true. But it can serve, if used correctly, and with our own determination of will and commitment to see it used correctly, as a good public relations aspect.

I do not mean necessarily just to have people feel comfortable with this. But it can serve as a forum with which we ourselves can feel comfortable that we have challenged and have made the best case, and then we can come back and say, as a matter of fact here is the situation.

Mr. PERLE. But the SCC has operated under a cloak of secrecy, which has limited its utility in reporting on results, which is one of the reasons why I have been critical of the SCC.

Now, there is no rule of secrecy yet. And I hope the Commissioners do not adopt one.

Senator KASSEBAUM. Would the SVC?

Mr. PERLE. Yes.

Senator KASSEBAUM. So, you think it would be better not to have it?

Mr. PERLE. Absolutely, yes. And I think diplomatic channels are more effective in any case. These Commissions are little backwaters. Nobody knows who is there, nobody knows who goes to them.

And if you get a Secretary of State insisting on performance, that might have some effect.

The CHAIRMAN. Thank you very much. Senator Evans.

Senator EVANS. Thank you, Mr. Chairman. General Rogers, you were cut off by the end of my questioning in the last round.

Would you like to comment any further on the use of strategic or intercontinental ballistic missiles and their role in this whole effort?

General ROGERS. Well, I mentioned that I did not think it was credible to go back to the massive retaliation that was our old strategy.

But with respect to the corollary to that, to use submarine-launched ballistic missiles that contain the 400-plus warheads that are committed to the SACEUR for theater purposes, I also have great difficulty with that.

They are strategic, they are so considered at the negotiating table. As I point out in my statement, the Soviets can tell the difference between the launching of a land-based ballistic missile and a submarine-launched ballistic missile.

What they cannot discriminate between, as they see these missiles breaking the ocean's surface, is whether or not they contain part of the 400-plus warheads that NATO's using for theater purposes to compensate for the INF Treaty, or do they in fact represent the initial laydown of the strategic strike by the United Kingdom and United States.

Senator EVANS. Presumably, at some point, they can tell by the orbit.

General ROGERS. No, no, that is not the point. They would be headed for Soviet soil irrespective, because that is where those warheads are targeted by the SACEUR, on Soviet soil.

But if the Soviets have a policy of launching under attack, that is, sending off their ICBM fleet, as they see our strategic weapons approaching their soil, I just think that that is a vulnerability that the United States and the United Kingdom should not expose themselves to by using strategic weapons of that nature for theater purposes, as a compensatory measure for the INF Treaty.

We argued this back in the 1977 to 1979 period in the runup to the two-track decision, because there were a number in Western Europe who said, "You do not need to bring in theater-based ground-launched missiles, just use the submarine-launched ballistic missiles committed to SACEUR."

There were a number of us who were against their use because it was not appropriate then. I do not think it is appropriate now. Thank you, Senator, for giving me the opportunity to respond.

Senator EVANS. I guess there may be a difference from one end, but at the other end the difference is sort of lost. Is it not? If you are at the target level, whether you are hit by an SLBM or a ground-launched INF weapon, the result is the same. Is it not?

General ROGERS. Does this Nation want to present itself to the West Europeans in its protecting the West Europeans, as we have promised we would do, that we will revert to massive retaliation? I think the answer to that question is "no."

It does not matter on the receiving end that is being destroyed by a strategic or theater nuclear weapons. But it does matter at the highest levels of government as to whether or not the United States and the United Kingdom have unleashed its ICBM's and the rest of its strategic fleet against the Soviet Union.

Or has it only used theater weapons to send a message to them: "We are not going to capitulate to your conventional attack, we are

going to strike you on your soil from our soil with theater nuclear weapons." And the Soviets know we can do that, thereby keeping the credibility of the deterrence high, and they will not aggress against us in the first place. That is really what it boils down to in my opinion.

Senator EVANS. Are you saying the Soviets would not be able to distinguish between a submarine-launched missile that was precisely the same as we might launch under theater operations from these INF weapons?

General ROGERS. The submarines are out there in the Atlantic. In fact, with the numbers of warheads on each missile, when you divide up the numbers of warheads involved, you will find that there are some boats out there that have both warheads on missiles committed to the SACEUR and warheads on missiles committed to the strategic nuclear strike.

And that is why there is great coordination between SHAPE headquarters, and SAC headquarters, the Joint Strategic Targeting Planning System, on the targets that the SACEUR wishes to strike.

SACEUR's warheads would be unleashed at the same time the United States unleashes its strategic nuclear forces. And the same with the handful of submarine-launched ballistic missile warheads that the United Kingdom commits to SACEUR.

Senator EVANS. But you are saying that some of the submarine-launched missiles are for theater purposes and some are for inter-continental purposes?

General ROGERS. Not for theater purposes. They are to be used by the SACEUR at the time we release all of our strategic forces.

Senator EVANS. For theater purposes?

General ROGERS. In order to hit targets in the Soviet Union that he, the SACEUR, wants hit and knows will be hit, and that might not be hit by the other strategic nuclear forces of the United States. Thus he coordinates very closely with the United States to be sure that those are covered.

Senator EVANS. Mr. Perle, let us go back to article 14, which seems to have drawn some interest this morning.

Are you suggesting that it really is, or should be considered in essence, a nullity and have no effect, or that we should inform the Soviets that that is our view of it?

Mr. PERLE. Well, the administration, I gather, says that that is its view of it. And I think it would be wise to reserve to that effect in connection with the treaty.

If the Soviets were then to object to that reservation, we would at least know that we had a difference of interpretation of some importance.

Senator EVANS. Well, how unclear is it? Some have suggested that it is ambiguous in its reading, at least sounds very ambiguous. The parties shall comply with this treaty. That certainly is not ambiguous.

And so it is therefore the other sections which says, "Shall not assume any international obligations or undertakings which would conflict with its provisions."

Presumably we also believe that if we sign this treaty we are not going to go out immediately and engage in some other kind of an

international obligation that would thwart the end result of this treaty. Is that not true?

Mr. PERLE. Oh, of course. The question is, What does it mean? Just to give you an example, suppose the Senate chooses not to amend the treaty as I hope it will with respect to ground-launched Cruise missiles.

And one of our allies asks us for assistance in developing a guidance system, which it intends to put on a ground-launched Cruise missile with a range greater than 500 kilometers.

Would it be a violation of the treaty under article 14 to assist them in that way? If the answer is not immediate and obvious, are we going to scrutinize all programs of cooperation with our allies with respect to possible limitations under article 14?

My view is that we should not have an article like article 14 at all. But if we have to have one, and we take the view that it is superfluous and meaningless, let us say that.

Senator EVANS. It seems to me that not every provision in a treaty is required to be simple and easy, and not subject to scrutiny, when you come up to events that will occur subsequent to the signing of a treaty. That is the very nature of complex arms negotiations.

It has taken a long time to get to where we are. It will certainly not ease up after we sign the treaty. I mean, is there anything inherently bad about a proviso that causes us to examine whether in fact we are or are not thwarting the obligations under the treaty?

Mr. PERLE. Well, as I understand the whole notion of noncircumvention, we would not through one of our allies seek to deploy, in effect, those things that we are prevented from deploying ourselves.

And I have no trouble with that formulation. But that is not what it says. It is vaguer than that. And I would hate to see our cooperation with allies inhibited in any way as a consequence of article 14.

And I am worried about some lawyer employed by the Government, and we employ a lot of lawyers, telling us that we cannot do things that it is in our interest to do because he is taking an extravagant interpretation of article 14, despite the fact that the administration today takes a diminimus interpretation of it.

And all I am suggesting is that the Senate join with the administration in interpreting it in a minimal way.

Senator EVANS. Are you worried about lawyers working for the administration who sometimes take a broader view of a treaty that has already been signed?

Mr. PERLE. It is hard to find lawyers like that.

Senator EVANS. Well, I think we do have one right now.

Mr. PERLE. Well, Members of the Senate have taken the dubious constitutional view that everything said about treaties by all administration witnesses, whether they know what they are talking about or not, is somehow binding on the United States even if not on its negotiating partners. I would be very careful in the future under the doctrine.

Senator EVANS. Well, would that not also be the case of someone taking an unnecessarily narrow view as a lawyer?

Mr. PERLE. Well, you could now invoke this new principle and say that lawyers are prevented from interpreting this treaty incon-

sistent with the way in which the administration has represented it, in which case article 14 would become meaningless.

But I am not confident the Senate is going to be consistent in its application of this new principle.

Senator EVANS. It seldom has been. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much. This concludes our hearing this morning.

We are very grateful to you, Mr. Perle, General Rogers, and Mr. Slocombe, for being with us. The committee will now recess, and we meet again tomorrow in our Dirksen room for committee business. And in the afternoon in the intelligence room, S-407, for a closed briefing on intelligence. The committee is now recessed.

[Whereupon, at 1:05 p.m., the hearing was recessed, to reconvene at 10 a.m., February 18, 1988.]



THE INF TREATY

THURSDAY, FEBRUARY 18, 1988

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met at 10 a.m. in room SH-216, Hart Senate Office Building, Hon. Claiborne Pell (chairman of the committee) presiding.

Present: Senators Pell, Cranston, Adams, and Helms.

The CHAIRMAN. The Committee on Foreign Relations will come to order.

I'm very glad, without more ado, to welcome our panel: Dr. Marshall Shulman, an old friend; Dr. Scott; and Ambassador Garthoff. Garthoff.

I will forgo an opening statement, but reserve the right of reply if the ranking minority member makes a substantive opening statement.

Senator HELMS. I have no opening statement.

The CHAIRMAN. Then you are relieved from any opening statements on our part and we are ready for you, Dr. Shulman.

STATEMENT OF DR. MARSHALL SHULMAN, ADLAI E. STEVENSON PROFESSOR EMERITUS OF INTERNATIONAL RELATIONS, CO- LUMBIA UNIVERSITY

Dr. SHULMAN. Thank you, Mr. Chairman.

I have a brief statement that may run 10½ minutes if that is all right, sir.

Mr. Chairman and members of the committee, I would like to address the issue behind the issue of the ratification of the INF Treaty. It is generally agreed that the main significance of the treaty is that it constitutes a step toward further arms control agreements and an improvement in United States with the Soviet Union.

That prospect is regarded by some with concern and by others with favor. Underlying many of the questions about the treaty raised in these hearings is a more fundamental question: What kind of relations with the Soviet Union are in the best interest of the United States?

For more than 40 years, there have been two contradictory views in this country regarding our relations with the Soviet Union. The conflict between these views is still unresolved, and it is reflected in the opposing attitudes toward the treaty.

The view that has been dominant, particularly during the past decade, has supported a policy of confrontation and pressure, to-

gether with a military policy of seeking to assure our security through the pursuit of military superiority, rather than through arms control.

This policy has been based upon a view of the relationship as one of intractable hostility, inherently rooted in the sinister nature of the Soviet system. It is also argued that the Soviet system is incapable of a change in its behavior and that a fundamental change in the Soviet system would be required to make peaceful relations possible.

Those who support this position tend to regard the reforms and policy changes sought by Gorbachev as mere deceptions. It follows logically from these views that the purpose of American policy should be to seek, through the application of pressure, to maximize Soviet weaknesses in order to bring about a collapse of the Soviet system or at least to compel a contraction of Soviet power from its positions in Eastern Europe and elsewhere, and a capitulation to American positions.

It has become increasingly clear, however, that this confrontationalist view that has been dominant in shaping American policies toward the Soviet Union is based upon assumptions that were questionable to start with and are increasingly inapplicable to the Soviet Union as it has been changing over the years.

It is also clear that this policy can hold out no outcome other than a continuation of an unregulated nuclear military competition that reduces our security and leads to an overmilitarization of our own society and economy. It also has been a continuing distraction from other important foreign policy problems, whose solution becomes more difficult when we and the Soviet Union are locked into a confrontational relationship.

Moreover, the effect of this confrontationist policy, by stimulating a further mobilization of the Soviet Union in the face of a hostile environment, reduces whatever chance there may be of an easement in Soviet repressive practices or an evolution away from its outworn ideology.

The alternative policy toward the Soviet Union, which has had less political support in this country, starts from a more realistic assessment of Soviet developments and seeks to manage the competitive relationship with a more rational regard for the interests of the United States.

The changes we are now witnessing in the Soviet Union did not begin with Mikhail Gorbachev. For more than 30 years, there have been efforts to overcome the dysfunctional effects of the Stalinist system, the stagnation of its economy, the bureaucratism, corruption, cynicism, and lethargy in Soviet society.

The rise of a leader with the vigor and intelligence of Gorbachev has given a relatively small group of "within-system modernizers" the possibility of reforming the Soviet economy, revitalizing Soviet politics and society, and making Soviet foreign and military policy more pragmatic, rational, and effective.

Will they succeed? At this point, no one can say. The obstacles are formidable. They face not only the active resistance of powerful interest groups faced with the loss of perquisites and power, but, even more important, the passive resistance of a population unac-

customed to the initiative and enterprise Gorbachev is seeking to evoke.

It may be some years before the answer is clear. But what is amply clear is that the effort is a serious one, which it would be foolish to dismiss as mere deception. Gorbachev has said plainly that if the reforms should fail, the country would lapse back into stagnation.

The steps he has taken over the past 3 years are bold and substantial. His economic reforms may take many years before they begin to show positive results. But his program of political revitalization has produced dramatic changes, more far-reaching than many of us thought possible in our lifetimes.

In response to the inescapable requirement to reduce the flow of resources into the military sector, Gorbachev has offered unprecedented initiatives and concessions in the arms control negotiations. He has reasserted party control over the military establishment, and he has argued for "sufficiency" and the "mutuality of security" in Soviet military policy.

In foreign policy, he has recognized that international tranquility is a necessary condition for his domestic economic restructuring, and this has led toward pragmatic diplomacy and away from the class struggle ideology that dominated Soviet policy in the past. He has accepted a Soviet self-interest in participating in the global interdependent economic and political system, and in the peace-keeping functions of the United Nations.

This is not to say that the Soviet Union is completely transformed. It is still a controlled, one-party, authoritarian state. The political police are still strong, and the old orthodoxy is still strongly entrenched. Many of Gorbachev's rhetorical formulations have yet to be transformed into actions.

The relationship with the United States is still a competitive one, but if the reforms continue to evolve the competition will be on the diplomatic plane and the military aspect of the competition will be subordinated to a political rivalry.

The Soviet Union will continue to be handicapped by its economic limitations for a long time to come. The United States has many advantages in facing this rivalry in these evolving terms, if it learns to manage the competition with more rationality than it has done in the past.

If we do, the changes Gorbachev is seeking to implement can open the way to a relationship that is less dangerous, less costly, and more productive than it has been. In the first instance, we have the opportunity to explore the possibilities that are now available, following on the INF Treaty, to stabilize and moderate the deterrent balance between the two countries in nuclear weapons and in conventional weapons and forces.

We have the opportunity to reduce and to stabilize the central strategic systems in the START negotiations, provided we limit research and development on space-based defenses to the terms agreed to in the anti-ballistic missile treaty, as it is in our own interest to do.

We have the opportunity to probe Gorbachev's offer of asymmetrical reductions in conventional forces and weapons and his offer to include Soviet forces in the western part of the Soviet Union, to be

verified by onsite inspection. The crucial step required is to develop political support for a security policy based upon moderating and stabilizing the deterrent balance through negotiations, rather than continuing to seek security through superiority.

To do this, we will need to develop a more rational process of decisionmaking on defense policy, rather than letting this process continue to be determined by the interplay of parochial interests.

More broadly, it should be an integral element of this policy of managed competition that it have in mind from the outset a long-term evolutionary purpose. If the initial negotiations are productive, they should be seen as opening the way to a long-term shift, perhaps over decades, in the balance between competition and cooperation in the relationship, with the purpose of drawing the Soviet Union into a constructive involvement in the international system and in the international economy.

Our relations with the Soviet Union are not the centerpiece of United States foreign policy. The guiding concept of our foreign policy should flow from our recognition of our primary interests in strengthening the international system.

Our most urgent need is to rekindle the bipartisan spirit of internationalism that enabled the United States to provide constructive leadership in the postwar period. The immediate step required is to give reassurance to our anxious allies, to restore their confidence in our steadiness of purpose and commitment to their security, in order that the Atlantic alliance may stand as the vital core of democratic values and the nucleus of international order, constraining the egoism of nations.

The prompt ratification of the INF Treaty as a step toward putting our relations with the Soviet Union on a more rational footing will help to restore the confidence of our allies in our steadiness of purpose and will earn for us the leadership worthy of a great power.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much indeed, Dr. Shulman.

Now we have Dr. William Scott, former military attaché in Moscow.

STATEMENT OF DR. WILLIAM SCOTT, FORMER MILITARY ATTACHÉ, U.S. EMBASSY IN MOSCOW

Dr. SCOTT. Mr. Chairman, I have a brief statement that I would like to read. Additionally, I would like to submit for the record a longer statement that will appear in Air Force magazine next month.

A bit of background. In August 1962 I arrived in Moscow to be the senior U.S. air attaché. Within 2 months, I had a worm's eye view of the Cuban missile crisis. I returned to the States in August 1964, only 6 weeks before Khrushchev was ousted.

In August 1970 I again returned to Moscow for another 2-year assignment. There I had a ringside seat for the signing of SALT I. This announced to the world that the Soviet Union had reached the status of military superpower. I returned to the States in September 1972 and retired later that year.

Since then I have worked as a consultant and as a writer. Since 1972 in order to keep current my wife and I have made some nine return trips to the Soviet Union, our last being in October and November 1987. We wanted to see if the great changes so widely publicized in our press actually were taking place.

We work primarily on Soviet military doctrine. This is a concept that does not have any equivalent meaning in the United States or in any other NATO nation. As defined, "military doctrine" is the military policy of the Communist Party.

Its purpose is to prepare the nation for the possibility of a future war. It has certain questions to answer: Who will be the enemy, what will be the nature of the future war, what tasks will be set before the armed forces, how the nation must be prepared for war, and if war does take place by what methods will it be fought?

The provisions of doctrine have the force of law. Doctrine has two sides, the political and the military-technical. The political side of the doctrine has changed but little since Lenin. The military-technical side is responsive to advances in science and technology.

A new military doctrine was formulated in the late 1950's, and announced by Khrushchev in January 1960. This doctrine decreed that the nuclear-armed ballistic missile would be the decisive factor in the event of a future war. After the Cuban missile crisis, many in the West thought this doctrine would change. This did not happen, nor was there any change after Khrushchev's ouster. The Soviet drive for nuclear superiority continued.

The doctrine was modified in the late 1960's to include the possibility of a conventional phase in a military conflict. This was made possible by the nuclear umbrella which gave the Soviet military leadership options for the use of its military power.

Now, contrary to hopes in the United States, there was no change in the military doctrine after the signing of SALT I. The nuclear buildup continued. As Secretary Harold Brown is reported to have said: "When we build, they build; when we reduce, they continue to build."

Military doctrine was again modified in the 1970's to stress the projection of military power and presence. Again, this was made possible by the nuclear umbrella.

There now are great hopes in the West that fundamental changes are taking place in Soviet military policies. The "new political thinking" in Moscow is said to have brought about the following:

Soviet military doctrine has a purely "defensive character";

The Kremlin's military forces are to be maintained at a level of "reasonable sufficiency";

Soviet society, industry, and armed forces are being "restructured."

But is this glasnost, or is it only "pokazuka"—for show? From a close analysis of Soviet military writings, I do not see anything really new in the "new political thinking."

First, the military doctrine. The Soviets now say that only the political side of the doctrine is defensive, not the military-technical side. This does not represent any basic change. The attack on tiny Finland in 1939 was a defensive war. As Marshal Ogarkov has

stated, the Soviet Union fights only just wars, and the very nature of their society prohibits them acting in an aggressive manner.

And we might think in terms of Afghanistan, with respect to that.

Neither is there anything new about the concept of "reasonable sufficiency." In March 1966, Brezhnev had stated that the Soviet military were to be fully sufficient for defense of the nation. General Secretary Andropov stated that the forces were to be maintained at the "necessary level." And when we examine these statements in the context in which they were made, they have essentially the same meaning as Gorbachev's "reasonable sufficiency."

Major attention has been given to "perestroika" or restructuring, and generally it is assumed this is to improve the living standard of the people. On the other hand, restructuring is necessary for military reasons.

Marxism-Leninism, which all Soviet officers must study, teaches that the course and outcome of war—that is, victory or defeat in war—are based on economic, scientific-technical, moral-political, and military potentials of the opposing sides.

In large measures, these laws of war given in Soviet writings are the basis of Soviet military doctrine. And the leadership, the political leadership and the military leadership, recognize that these laws of war must be kept in the Kremlin's favor.

The Soviet armed forces today probably are sufficient to keep the Kremlin's position as a military superpower for the next 5 to 12 years. But if the economy continues to slide, if science and technology fall behind that of the West, if drunkenness and other weaknesses in the Soviet social structure continue, then the superpower status will be threatened.

It is likely that the military-technical side of the doctrine is being modified at present. Directed energy weapons may replace nuclear weapons. Marxism-Leninism reaches that there is a constant battle between the offense and defense in warfare. The Soviets may be ahead of us in a ballistic missile defense.

The Soviet leadership need a repeat of the détente of the mid-1960's and seventies. Their military doctrine has not changed, only the tactics. They want to create a climate of opinion in the West that will permit the transfer of technology to the Soviet Union, as well as credits. And while doing this, they hope to turn our attention away from our need for a sound defense.

Immediately before the December summit meeting, the international department of the Central Committee saw to it that Gorbachev's book "Perestroika: New Thinking for our Country and the World," was available in Washington bookstores. It supposedly gave the Communist Party's strategic plan for foreign and domestic policy in the immediate 5-year period.

During his 18-year tenure as General Secretary Leonid Brezhnev had similar plans, which he called his "peace program." Gorbachev calls his a "system of international security." This is carefully packaged for both domestic and foreign consumption. Much of it bears on Soviet military doctrine.

In this, of course, is a repeat of the "reasonable sufficiency" thesis. But are these declarations in Gorbachev's all-embracing system of international security really new thinking? Do they

mean major changes in Soviet military doctrine, or perhaps a completely new doctrine?

We must not forget that similar words have been used in the past. The Stalin constitution of 1936 was one of the most liberal in the world, but it was an effort to make the Soviet system appear more democratic in order to gain support from Britain and France.

Now, this is not to suggest that Gorbachev is another Stalin. While we must not ignore the possibility of actual change in the Kremlin's goals, we must be realistic about the chances.

Thank you, Mr. Chairman.

[The prepared statement of Dr. Scott may be found in the appendix.]

The CHAIRMAN. Thank you very much, Dr. Scott.

Now we will hear from Ambassador Garthoff.

**STATEMENT OF HON. RAYMOND L. GARTHOFF, SENIOR FELLOW,
THE BROOKINGS INSTITUTION, AND FORMER U.S. AMBASSADOR
TO BULGARIA**

Ambassador GARTHOFF. Thank you, Mr. Chairman.

Let me say at the outset that I will not address the subject of developments in the Soviet Union. I can simply endorse very strongly what Dr. Shulman has said, both with respect to his analysis of the program that General Secretary Gorbachev is pursuing and of the situation in the Soviet Union and also its implications for American-Soviet relations.

I also wish in a brief preliminary comment to say that I disagree rather strongly with Dr. Scott's analysis of developments in Soviet military thinking. This is a subject that I have followed closely professionally since 1949. And I think there are very important changes underway both in the political dimension and, as they call it, in the military-technical aspect of Soviet military doctrine. These are, I believe, likely to be controversial within the Soviet system, but they have important implications and possible applications with respect to Soviet military and foreign policy and arms control policy.

I would like to make a few comments this morning on the INF Treaty and its relationship to the course of development of American-Soviet relations in the period ahead.

The INF Treaty will enhance the security of the United States, Europe, and the world in a number of ways.

In the first place, it relegitimizes the arms control process, after nearly a decade of neglect and unjustified charges of failure. It also provides momentum to the negotiation on strategic arms reduction and makes more possible an agreement on reductions on the order of 50 percent.

Arms control, of course, is not an end in itself, but the INF agreement signifies a renewed recognition on both sides that arms limitations and reductions can serve the security interests even of adversaries.

The elimination of all Soviet and American land-based missiles of 300 to 3,500 miles range shows that agreement can be reached to scrap modern, recently deployed systems. It shows also that the Soviet Union is prepared to eliminate in this case not only the de-

ployment in recent years of SS-20's and SS-23's, but also the deployment of hundreds of SS-4 and SS-5 missiles that had faced Europe since the late 1950's.

It demonstrates that the Soviet leaders have been prepared to eliminate much larger numbers of missiles than do we where there was a disparity in their favor. And it marks an unprecedented Soviet readiness to accept extensive and intensive verification measures, including onsite inspection, on their own territory. All of these are important precedents for other arms reductions.

This is not the time to discuss the ongoing strategic arms negotiations, except to note that, while the INF Treaty provides some positive impulse, the possibility for an agreement this year is greatly reduced by the failure to restore a common understanding as to the meaning and effect of the ABM Treaty. Attempts by this administration unilaterally to reinterpret a bilateral treaty and reluctance to reconfirm readiness to abide by solemn existing treaty obligations regrettably stand as the main obstacle to successful conclusion of these negotiations. There are other unresolved issues, but none so impair the prospect of agreement.

In Europe, both the Soviet Union and the United States retain other longer and shorter range nuclear delivery systems, so there is no immunity for either side from possible nuclear weapons in a war—but also, by the same token, no gap in nuclear deterrent forces.

The elimination of weapons that had a destabilizing combination of ability to strike strategic targets on very short warning with high accuracy is again for the security of all, as such systems might otherwise have prompted preemptive tendencies in such a crisis. This reduces the danger of war by miscalculation and it is a major gain for European security.

The conventional arms balance in Europe is of course unaffected. It is not improved, nor made worse, by the elimination of intermediate- and shorter-range missiles. The INF agreement is, however, having a salutary effect in refocusing attention on this problem and can thus contribute to renewed efforts at limitation and reduction of conventional and dual-capable weapons.

There is need for a timely rethinking in the United States and in the NATO alliance of alternative ways to better answer the common security. We should see this not as a burden imposed by the INF agreement, but rather as a long-term effort to which this agreement draws attention and to which it can lend desirable impetus.

We should consider various combinations of alliance defense and arms control measures that would enhance security, if possible at lower levels of military confrontation in Europe.

The Soviet Union and Warsaw Pact leaders say they are prepared to work toward reducing not only the levels of forces, but in particular the offensive capabilities of the sides. We need not and should not either accept these declarations as a matter of faith, nor reject them as a matter of lack of faith.

We should engage the other side in negotiations to determine how far we can go in working together to meet security needs. To whatever extent we find we must rely on our own alliance defense, we should and will of course do so.

All of our European allies without exception have strongly endorsed and urged ratification of the INF Treaty. To the extent that some Europeans, as some Americans, have concerns about other aspects of the security situation that call for additional arms control and/or defense measures, these should be met.

But a failure to ratify this treaty or attachment of any conditions to it with respect to other desirable steps in arms control or defense would represent a dangerously misguided assessment and counterproductive action. It could shatter alliance confidence in us, as well as worsening the security climate of East-West relations.

While the principal purpose and effect of the INF Treaty is to reduce arms and the danger of war, it also has the effects of reducing insecurities and tensions. Both military and political stability and military and political security are enhanced.

The INF Treaty must and does stand on its own merits as a contribution to security. It represents at the same time an important political step in improving United States-Soviet relations. It was the centerpiece of the third summit meeting between President Reagan and General Secretary Gorbachev.

Moreover, while it would not have been justified merely as a measure to improve political relations, the fact that it does so is an additional merit of the accord. American-Soviet relations depend upon more than arms control agreements, but an ability and readiness to work together in this sphere is not only important in its own right, but also in improving the whole fabric of relations.

The value of the treaty, however, is not dependent upon an improvement in relations if that does not ensue. It is, after all, because of our political differences and conflicts that the arms competition exists and that there is a continuing need for arms.

The treaty is a compact between adversaries who recognize that they have a mix of both conflicting and common interests. Survival and the avoidance of a nuclear war is the principal common interest. Reducing the risk of war and containing the arms competition is also a common interest, even while the military counterposition exists—indeed, because a military counterposition exists. The INF Treaty contributes to this end.

The question is raised as to whether we can trust the Soviets. Neither side is prepared to rest its security on trust of the other. We each retain not only military, but also intelligence, diplomatic, and other bases of our security.

What we can trust is that the Soviet leaders will act in their own interests. Whether those interests include arms control measures compatible with ours can be determined only through negotiations. The INF Treaty has emerged from that process, and I believe fully meets the test.

The questions of verification and Soviet compliance have been given particular attention. I understand that other expert witnesses will address the question of monitoring and verification in detail. I would like simply to state that the treaty provides carefully considered and extensive provisions that provide for adequate, effective verification.

Compliance is a broader question. A great deal of attention has been focused on a number of past cases of suspected Soviet violations of arms control agreements, some of which the present ad-

ministration has decided are violations. Any violation of an arms agreement is cause for concern, especially if the violation is deliberate rather than the result of divergent interpretation of understanding. But still more important is the question of the general practice or pattern of compliance.

And in this regard, even if all the Soviet activities deemed by this administration to constitute violations are such, there is a strong general pattern of compliance, not noncompliance. There is no reason to believe that the Soviet leaders will not comply fully with the INF Treaty.

In conclusion, the INF Treaty enhances the security of the United States and its allies, can contribute to improved political relations with the Soviet Union, but is useful and warranted even in the absence of such improved political relations.

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Garthoff may be found in the appendix.]

The CHAIRMAN. Thank you very much.

Now we will draw you out, if we may, with some questions, and we will limit ourselves to 10 minutes.

I was wondering, Dr. Scott. You mentioned here that Secretary Brown is reported to have said: "When we build, the Soviets build; when we reduce, they continue to build." He was with us as a witness a short time ago and that did not seem to be his view at the time.

Where was it reported that he said that?

Dr. SCOTT. As I recall, Mr. Chairman, it was reported in the Washington Post on February 19, 1979. I used it in a footnote. It is not footnoted in my statement.

The CHAIRMAN. But it was in the Post?

Dr. SCOTT. I can get that to you.

The CHAIRMAN. Thank you very much.

[The comment referred to follows:]

[Secretary Brown's comment appeared in an article by Congressman Robin Beard on the Op-Ed page A27 of the Washington Post on February 19, 1979:]

What concerns me the most about the continuing Soviet military buildup is its persistence and how that continues regardless of what the United States does. . . . We build up our forces, they build up theirs. We reduce our forces, they build up theirs . . . if the present trends continue for another five years, I believe the relative military positions [of Russia and the United States] would be a cause of real difficulty for the United States.

The CHAIRMAN. Now, another point in your testimony, you mentioned the question of sufficiency, "reasonable sufficiency," a phrase that has crept into arms control matters. I think the first time I heard that used was when Senator Albert Gore, the father of the present Senator Gore, and I went to Moscow in the late sixties.

Kosygin told us at that time that what we should talk about is not superiority, not inferiority, but sufficiency, sufficient to destroy each other, but no more. I was wondering when in your view this phrase acquired more currency?

Dr. SCOTT. Reasonable sufficiency, as they have been discussing it today, means that they will retain sufficient force to absorb a

strike delivered under the most unfavorable conditions for them and then be able to give the aggressor a decided rebuff. I believe those are the words they use.

And I believe, Mr. Chairman, that the expression "reasonable sufficiency," will be found in an article that was published in the Soviet journal, *Communist* or the *The Armed Forces* in January 1988. This gave materials for speeches for the 70th anniversary of the Soviet armed forces, which will be next week. The author is a political officer providing instructions that the other writers and speakers will use.

And if I may, I would like to submit this for the record so that you may see for yourself exactly how the Soviets use this expression. I might add that I hope it will be understood that I am a little bit illegal here, because the Soviet publications such as this are copyrighted. Their books and articles are copyrighted. We must get permission from them in order to make translations.

And so my wife did this 2 nights ago and she did not get permission, and so technically then she is in violation of Soviet law. This prohibits, of course, this material from getting out into our universities.

The CHAIRMAN. Thank you very much, and for your wife putting herself a little bit at risk in this regard. But we will put it in the record.

[The material referred to appears in the appendix.]

The CHAIRMAN. Is it not of interest that 20 years earlier Mr. Kossygin told Albert Gore and myself that "sufficiency" should be the watch word? And I was wondering if in your recollection it had ever been used before then, before 1968?

Dr. SCOTT. In 1966, Mr. Chairman, during Brezhnev's report to the party congress. I believe it was in March.

The CHAIRMAN. As with so many of our relations with the Soviet Union, they go in a cyclical nature. There is nothing new in the world.

I just finished reading the book that Gorbachev wrote, *Perestroika*. I know I am convinced that he must have written it because it is sort of a stream of consciousness style of writing that no professional writer would use. And in that book, his theme and his point is we leapfrog backwards to the NEP, the new economic policy, Lenin's views at that time, and then make a fresh start.

And I was just curious how each of you gentlemen felt in that regard. To my mind, when I finished the book I felt that Gorbachev's real objective was to get back to where they were in 1922, take the elements of the NEP, and then roll on down there and just skip everything in between.

You can see that because Stalin is mentioned a very few times, Lenin is mentioned 100 times or so, and Marx is mentioned hardly at all.

I would be interested in the reactions of each of you. First, Dr. Shulman?

Dr. SHULMAN. I think you are right, Senator Pell, in saying that there have been antecedents for many of the things that Gorbachev has been saying, including the notion of sufficiency and also his economic reforms.

To take your broader point first and then the specific point about the NEP, you can see over a period of at least 30 years many of these ideas advanced and then sometimes tried and then cut off. For example, there were great reforms under Kosygin in 1965 and they were aborted. There was too much resistance to it.

Before that, under Khrushchev many of these reforms were attempted, but Khrushchev was an impetuous man and he alienated powerful interest groups and they brought him down.

So, here and there, even under Stalin in 1947, there were two very bold spirits, Varga and Bojeshinsky, who challenged some of the fundamentals of Stalin's economic rule, and they did so at their own cost.

And what is different at this time is that you begin to have some push, some political push behind some of these reforms. So they may have a chance of realization. And I think we would all agree that is all one can say right now, is that there is a chance.

Now, on your specific point, Senator, about the NEP, I think you are absolutely right that, first of all, Gorbachev wants to claim legitimacy and so he wraps himself in the mantle of Lenin as much as he can. But he is selective.

The CHAIRMAN. But not Marx and not Stalin.

Dr. SHULMAN. That is right. But he is specific about what parts of Lenin he is picking up to support him. And one of them that is important for him is the new economic policy of 1920-21, and he is arguing that they got off the track when Stalin turned them away from the new economic policy, the thrust of which was to encourage the peasantry particularly to produce more and to benefit from what they produced.

And so he is arguing that that was right, that is the precedent that they want to pick up. And in that way he is able to claim a mandate from Lenin for what he is trying to do now.

The CHAIRMAN. Thank you. In other words, a leapfrog backward to Lenin and then a fresh start.

Dr. Scott?

Dr. SCOTT. Mr. Chairman, this is a very interesting phase in Soviet affairs. One of the things that Gorbachev probably is most worried about is China, and China is moving and moving rapidly. We have seen great changes take place there in the past decade.

In order to get the ailing Soviet economy moving, which is at a standstill almost and has been for the past 25 years, he must do something, and so he probably sees one way of doing this, as Dr. Shulman has suggested, is to go back to Lenin. He has the terrific inheritance from Stalin, the blank pages of history, which the Soviets now write about at times. But again, they wrote about this under Khrushchev. Khrushchev permitted it. It was all closed off after he was ousted.

So, he is going back probably to Lenin to get some legitimacy for the moves that he is trying to make, and he probably is watching very, very carefully what is happening in China and what has already happened in other Asian nations.

The CHAIRMAN. Thank you.

Ambassador Garthoff.

Ambassador GARTHOFF. Well, Mr. Chairman, certainly Gorbachev is not renouncing Leninism, but he is seeking to open up a

somewhat more—I hesitate to use the word because it does not have quite the same meaning—but a more liberal form.

The CHAIRMAN. Excuse me. I was not making the point he was renouncing Leninism. I was making the point he is going back to Leninism.

Ambassador GARTHOFF. Yes, and I agree. What I wanted to say was that he is seeking to have a more liberalized form of Marxism-Leninism. And of course, Soviet authorities can and have found quotations from Lenin to support almost any line. What is important, what counts, is what a given Soviet leadership chooses to cite from him as authoritative in support of policies that they are pursuing.

And they are now putting an emphasis on both what Lenin said and what he did in the case of the NEP, for example, in order to support a policy which is less authoritarian than the whole tract that Stalin pursued.

And so I think you are correct in suggesting that he is pointing back to those periods which, while not liberal by our standards, do represent a less authoritarian and I would say less menacing strain of Leninism than those other elements that we have seen throughout and associate with the rule of Stalin and the course of the cold war.

The CHAIRMAN. Thank you very much.

My time has expired. Senator Helms.

Senator HELMS. Thank you, Mr. Chairman. I think you would agree that we have three interesting and articulate witnesses this morning.

Some of these statements struck me as being wishful thinking, and if wishes were horses we could play polo this afternoon.

For example—and I say this with all due respect—you say there is no reason to believe the Soviet leaders will not comply fully with the INF Treaty. Well, that is what they said about SALT I, that is what they said about SALT II, and that is what they said about all the other treaties that the Soviet leaders have violated, almost with impunity.

And then the statement was made for more than 30 years there have been efforts to overcome the dysfunctional effects of the Stalinist system, the stagnation of its economy, the bureaucratism, the corruption. Of course there has, all to make their system stronger.

But for the past 30 years, the statement continues, and making Soviet military and foreign policy more pragmatic, rational, and effective. Well, that depends upon rational from whose point of view, effective to what ends.

But at any case, during the last 30 years the Berlin Wall has gone up, Afghanistan has happened, Cuba has happened, Angola has happened, Ethiopia has happened, Central America has happened, Nicaragua, with all of the billions that the Soviet Union has poured in there, KAL-007 happened, concentration camps throughout the Soviet Union.

Maybe you ought to talk to Alexander Solzhenitzyn, as I have. Using Hawaii last fall for target practice, refusal to allow people to leave the Soviet Union, that sort of thing.

Well, so we do have a sort of two-to-one situation there, and it is three-to-one up here. So, I know exactly how you feel, Mr. Scott. [Laughter.]

Now, let me give you a little test. Dr. Scott, do you recognize that man? Can you identify him?

Dr. SCOTT. I certainly can, Senator. That is Marshal Ogarkov. He was the leading Soviet military man in the initial stages of SALT I, and later he became chief of the general staff, and at the present time he is the commander in chief of the western TVD.

And I might say that he is one of the most unpleasant Soviet officers that I have ever met. And one should read his articles and see what he has said about the United States.

Senator HELMS. You do not think he is very pragmatic, then?

Dr. SCOTT. That depends upon your meaning.

Senator HELMS. Now, in his previous position he was chief of the military staff?

Dr. SCOTT. That is correct.

Senator HELMS. What was his role with respect to SALT II?

Dr. SCOTT. His role with respect to SALT II is difficult to determine because as chief of staff, the general staff played a key role in the SALT negotiations. As a matter of fact, as his successor, Marshal Akhrameyev, has made clear today or we see today, that here the chief of general staff is playing perhaps one of the leading roles in the present arms control negotiations.

Senator HELMS. Now, while he was chief of staff did he not reorganize the Soviet military forces according to these maps?

[The chart referred to appears in the appendix.]

Dr. SCOTT. Yes, during his tenure as chief of staff he advocated the theater military operations or TVD's. And then when he was relieved as chief of the general staff, he was designated commander in chief of the western TVD, which of course is the TVD opposing our major NATO forces.

Senator HELMS. Incidentally, Mr. Chairman, this map is from the Department of Defense publication "Soviet Military Power."

Tell me what the implications of this reorganization in terms of Soviet military doctrine are?

Dr. SCOTT. The reorganization that took place has given the TVD commanders, and in particular Marshal Ogarkov, the most powerful grouping of combined armed forces probably that the world has ever seen. These combined armed forces are capable of fighting with either nuclear or conventional weapons or with a combination of the two.

Ogarkov stressed, of course, the modernization not only of conventional weapons, but nuclear weapons as well. He stressed a great deal the need for scientific technical advances, and progress.

Senator HELMS. Now, as commander of the western military division, he is now in charge of the Soviet conventional and nuclear forces opposing NATO in Europe, is that correct?

Dr. SCOTT. That is correct, sir. He would not have control, operational control, of the ICBM's that could strike the United States, but he would have control over the tactical nuclear weapons as well as the conventional forces opposing NATO.

Senator HELMS. A lot of people in this town get nervous jitters when I ask a question like the one I am about to ask, but I think

we need to ponder it. My question is, What advantages do this man's conventional forces get from this proposed INF Treaty?

Dr. SCOTT. Senator Helms, I would prefer not to discuss the INF Treaty in any detail, for certain reasons. But of course, in conventional forces, should this be a conventional war, the Soviets have numerical superiority over the NATO forces.

Senator HELMS. Your first assignment in Moscow began when, 1962?

Dr. SCOTT. 1962, sir.

Senator HELMS. That was before the Cuban missile crisis?

Dr. SCOTT. Right before the Cuban missile crisis. The Cuban missile crisis occurred 6 weeks later.

Senator HELMS. And I believe you stated in your testimony that your last visit to the Soviet Union was this past when, November?

Dr. SCOTT. Yes, sir.

Senator HELMS. Have you seen any changes over the past 25 years—make it 30—since that has been alluded to?

Dr. SCOTT. In watching carefully, in the Soviet Union over the past 25 years, a quarter of a century, changes have been very minor. The greatest change, of course, has been the buildup of the Soviet military forces. In the economic sphere, as in other areas, the Soviets are not a superpower. It is in the military field that they have put their stress.

Senator HELMS. Well, I was going to ask specifically, have you seen any changes to indicate that negotiations on arms control and arms control agreements bore any effect on Soviet military doctrine and policy?

Dr. SCOTT. There were certain treaties that were signed in the 1960's. These did not change Soviet military policies in the slightest. After SALT I, you may recall that there was great optimism in the States, but if we go back and see what the Soviets were writing, their military doctrine did not change, nothing changed. They continued their military buildup. The SALT I treaty did not have any significant effect on Soviet military doctrine.

Senator HELMS. When did the Soviet military buildup begin in the post-World War II era? Did it begin with the Cuban missile crisis, as we are so often told, or did it begin earlier than that?

Dr. SCOTT. The Soviet military buildup began, the nuclear buildup started in the 1950's, and by 1957, the Soviets then settled on the nuclear weapon as the primary decisive weapon in the event of a future war.

They created the strategic rocket forces in December 1959. The doctrine was announced in 1960, and it was this force and this doctrine that resulted in President Nixon going to Moscow in 1972 to sign an arms control agreement with the Soviets. In only slightly over a decade, the Soviet Union reached military superpower status.

Senator HELMS. My time is just about up, and I will not start another question at this time, but I will say that in our entire relationship with the Soviet Union, post- and pre-World War II, history is constantly being rewritten, and it is sort of like Alice in Wonderland, I think it was Humpty Dumpty said "When I use a word, it means what I intend it to mean, nothing more nor less." That is a free translation, as I recall it.

But so often little things are slipped in, like well, the Soviets did this because of the Cuban missile crisis, when obviously, if you go back and look at the record, they were in this game of dominating the world before that, and the buildup, I do not see any change. Mr. Gorbachev has got a pleasant demeanor, he is a good PR man, but I do not think a thing in the world has changed, and we had better be careful when we get around to the business of patting a rattlesnake on the head.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Helms.

Senator Cranston.

Senator CRANSTON. Dr. Scott, first, following up on the last point, do the following recent steps by the Soviet Union not indicate some sort of change: one, their acceptance of onsite inspection; two, their willingness to open silos for national technical means of verification of compliance; three, asymmetrical reductions, they give up 1,600 weapons, roughly, or delivery systems, we give up 400 delivery systems; four, total destruction of recently constructed and paid for weapons?

Are those not rather new evidences of Soviet behavior?

Dr. SCOTT. Senator Cranston, I believe that General Rogers has talked about already, and discussed what was really given up with respect to the missiles.

With respect to verification, with respect to other aspects of the treaty, again, I would prefer not to go into that in any detail, but having walked over Soviet territory, having been there as a legal military observer for four years, I regard this as not being really too important.

Senator CRANSTON. Well, has the Soviet Union ever before now agreed to those four steps, onsite inspection, opening silos, asymmetrical reductions where they give up more than we, and total destruction of certain weapons or delivery systems?

Dr. SCOTT. Obviously this is something that appears new, but it would be well for us to wait and see what really happens.

Senator CRANSTON. Well, the first thing we have to see happen is whether we ratify this treaty.

What do you think we should do about it?

Dr. SCOTT. I really have no real strong views on that, strong official views. We had SALT I that was ratified. That did not change anything. A treaty such as this will not have any impact upon Soviet military policies. It is a tactic, nothing real substantial.

Senator CRANSTON. Do you favor ratification or oppose it?

Dr. SCOTT. Senator, if it were not ratified, we would be in a very, very embarrassing position, perhaps, but on the other hand, again, I do not see it being a major issue one way or the other with respect to the policies of the Soviet Union.

Senator CRANSTON. Ambassador Garthoff, those charts showing restructuring of Soviet forces under Marshal Ogarkov date back to 1981 and 1983, as I understand it.

Would you comment on the significance of that restructuring and on Dr. Scott's comments?

Ambassador GARTHOFF. The Soviets created a Far Eastern Theater Command in 1978, and I think that related primarily to the worsening relations between the Soviet Union and China and their

concern about the possibility of the opening of a front there. It was just the next year, you recall, that China attacked Vietnam, which is an ally of the Soviet Union.

In any event, I believe that Marshal Ogarkov and others in the high command had been urging the creation of such commands for some time. It was only 6 years later, in 1984, that Southern, Southwestern and Western Theater Commands were created, and at that time, Marshal Ogarkov was relieved of his position as First Deputy Minister of Defense and Chief of General Staff and given the Western Command. That is an important command, I agree with Dr. Scott on that.

I would note, though, that while I believe the existence of these commands does have a certain significance in terms of allowing possible separate action in any one as well as being a way of coordinating action of them all if general war should come, the creation of these theater commands did not change the military forces and capabilities at all.

So, while it is true that they have substantial nuclear and non-nuclear capabilities, that was true, of course, with or without these commands.

I would also like to remark that one of the notable things that Marshal Ogarkov stated in a number of his statements in that period, 1984, 1985, after his change, was that nuclear weapons had become virtually unusable, and he noted this as a major change that had occurred. He put particular emphasis on the importance of nonnuclear weapons with advanced technologies, citing especially developments that he attributed to us.

Now, that has some bearing, I think, on the Soviet readiness to contemplate an alternative way of dealing with long range theater nuclear forces, but it also took a political change, a change in the political leadership, to make the Soviet Union ready to agree particularly under conditions where they were making much larger reductions than would we.

If I might, I would also like to just comment that—Senator Helms has left—I agree with him that one should not trace a Soviet military buildup just to the Cuban missile crisis. The Soviet Union undoubtedly sought to become a military great power and indeed a superpower from the time of the end of the war on, and those efforts were under way as they could be technically supported during that period.

Insofar as they were reacting to other developments, they did seem to give some impetus to their buildup following our major military program that was announced in 1961, and I think further, as a result of the Cuban missile crisis as well. But by the time that the Soviet Union began to acquire general strategic parity with the United States, the end of the sixties, beginning of the seventies, they were interested in and did pursue strategic arms limitations. While it is certainly true that after the SALT I treaty they continued to catch up with us with the development and deployment of MIRVed missile systems, throughout the whole SALT decade the United States retained a lead, a larger number of strategic nuclear warheads. The Soviet buildup during that period, in fact to this day, has not brought them up to as many warheads in strategic force salvo as the United States has.

Now, there is no doubt that the two powers for all practical purposes have had strategic parity of forces since the early 1970's, but this situation has not been moving further to American disadvantage, and the Soviets do indicate that particularly under their concept of "reasonable sufficiency," which is still being developed, they are prepared to see considerable reductions in the level of nuclear forces of the two sides. I think there is little doubt that they are in fact seriously prepared, for example, to conclude an agreement involving 50-percent reductions in such forces if the ABM Treaty question can be cleared aside.

Senator CRANSTON. So, in summary, you say that the restructuring under Ogarkov is really not that significant in terms of their posture.

Ambassador GARTHOFF. I think it is significant in terms of the particular military planning arrangements of the two sides. I do not think it is significant in terms of the military threat to the West or to the military balance.

Senator CRANSTON. Yes, that is what I took you to say, and I would like to also finally point out that according to those charts, that occurred in 1981 and 1983, and that was before the new leader Gorbachev took over in the Soviet Union. That is somewhat analogous to the charts we were shown on an earlier occasion by the Senator from North Carolina, charts dating back to 1976 which turned out to have no relevance to an article by a man named Beecher, to whom much of that was attributed. So, there was no connection between the chart and the Beecher article.

I have more questions for each of you, but my time has expired.

The CHAIRMAN. Thank you very much, Senator Cranston.

Now we will start a second round, as each of us has had an opportunity to ask questions and we still have not exhausted our wishes in that regard.

I would like to return for a moment to "Perestroika." I have always believed that when political leaders, whether for good or for bad, write books themselves of their philosophy, one should pay very particular attention to that book, just like "Mein Kampf" spelled out very clearly what Hitler's goals were and "Das Kapital," while very much dated now, did spell out the thoughts of Karl Marx at that time.

Going back to "Perestroika," I am sure each of the three of you have read that book, with what impact does it leave you?

First I would ask Dr. Shulman, then Dr. Scott, then Ambassador Garthoff.

Dr. SHULMAN. Senator Pell, it is an interesting book but there are limitations in it. That is, it appeared to me that Gorbachev is very sensitive to his domestic audience. He is a man with a lot of concerns, a lot of orthodox opposition, and he is not going to pick any fights he does not have to at this stage.

He clearly thinks in terms of stages, what he can do now practically, and what he cannot do because he does not have the total support that he would need to do it.

So, in the book he argues in general terms, but he avoids picking a fight, for example, with his own ideological bureaucracy, and he is very careful about how to phrase things so as not to stir up theological arguments at home. It is an interesting book.

The CHAIRMAN. Has there been any comparison of the English translation with the actual original Russian book? Is it well translated, or is it a little bit slanted differently?

Dr. SHULMAN. It was mainly written for foreign audiences. It has been published in Russian, and so far as I know, not changed appreciably, but it was written with foreign audiences in mind.

The CHAIRMAN. Thank you.

Dr. Scott.

Dr. SCOTT. Mr. Chairman, the book in question, "Perestroika," actually includes in its contents the same thoughts expressed in the three volumes of his speeches, which have now been published. As a matter of fact, if one reads these three volumes, one will not find anything really new or original in the book. He had covered the same ground before.

As Dr. Shulman suggested, the book itself was written in large measure with a foreign audience in mind.

With respect to the General Secretary, I always like to go back and think who were his supporters? We think of Suslov, of course, who was one of his supporters. Andropov was another supporter. And Gromyko was another. So, it is not likely that these men would have selected as the new Soviet leader someone who would stand and undo all of the things that they had fought for and the things that they represented in trying to spread communism throughout the world.

The CHAIRMAN. Thank you.

Ambassador Garthoff.

Ambassador GARTHOFF. I think the "Perestroika" book is, to state a little differently the same point that Dr. Scott just made, a convenient, concentrated compilation of his views and thinking. The fact that it has mostly appeared elsewhere in other reports and statements and articles is, I think, not surprising.

I would like to comment that I think it had without doubt the question of serving propaganda, public relations purpose, but the fact that something is intended to propagandize views and to elicit favorable reactions to them does not necessarily mean that it does not also reflect real aims and perceptions of the author. It does not prove one way or the other that it is serious. I think one has to apply other tests, including comparison with the kinds of statements and especially, of course, actions that are taken, both as far as the internal development in the Soviet Union and as far as foreign relations are concerned.

The CHAIRMAN. Thank you very much.

I would incidentally take this opportunity to say how much we all regret the absence of George Kennan, who was going to be a witness here today, but because of health reasons could not be with us. He submitted his statement, and I would ask unanimous consent to have it inserted in the record of this hearing at the appropriate spot, and would add that it is particularly unfortunate because I remember being a Foreign Service Officer in the Eastern European Division in 1948 or 1949, whenever it was, when Kennan came up with the original alert on—was it the X article, Dr. Shulman?

Dr. SHULMAN. Yes, that is right.

The CHAIRMAN. With the X article in Foreign Affairs. That and Winston Churchill's speech are, from my viewpoint as a Foreign Service Officer at that time, is what first alerted us to the Soviet menace.

[The prepared statement of George F. Kennan may be found in the appendix.]

Dr. SHULMAN. Mr. Chairman, would there be an opportunity, either now or later, I thought Senator Helms raised some interesting points, and I would like an opportunity to comment on them if there would be a place in your proceedings.

The CHAIRMAN. Right now.

Dr. SHULMAN. Thank you, sir.

I am delighted that you were able to come back, Senator, because it seemed to me that there are some issues on which there may be differences and some not, and I thought it might be useful to try to clarify just what the differences are.

You raised questions about Soviet past behavior, and I do not think you would find much disagreement up here. I mean, I do not think any of us would be inclined to be apologists for what the Soviets have done in Ethiopia, Afghanistan, the rest of it, and in their military buildup.

Now, the question, it seems to me, that is before your committee is whether or not there is the possibility in Soviet behavior that for their own reasons, or incentives that grow primarily out of their economy, whether there is a possibility now that they have reason to want to reduce the flow of resources into the military sector or not.

Now, all three of us, despite some differences that Bill Scott and I may have, wind up saying there is a chance. I mean, Bill, at the end of his statement, said he does not know, that what is now happening in the way of military doctrine, in the foreign policy and the rest of it, may represent some departures that represent some differences with the past.

None of us would defend the past. That is agreed between us.

So, what we come down to is an uncertainty of whether, for reasons of self-interest, the Soviets now would like to see agreements that would enable them to reduce the flow of resources into the military sector, and not just the total. It is not a question of the total number of rubles, but it is a qualitative problem. I mean, what they face is this, that their scarce resources are on the high-technology side, in the advanced technology, and if the level of the military competition keeps going up, what it means as a practical matter for Gorbachev is that such things as electronics, computers, scientists, laboratories, alloys, skilled labor, all those things that he most needs in order to raise the level of his industrial technology, are going to have to go instead into keeping up in the new weapons situation. That is the problem he faces.

Now, the question is does it make sense for us to probe, not to be naive, not to take everything at face value, but to probe and see whether this provides a basis for some action that is in our interest, in the first place, not to help him, but primarily in our interest. If he thinks it is also good for him, OK, that provides a basis for negotiations.

But it seems to me that is the question now before the committee, is it not, Senator?

The CHAIRMAN. I will yield the balance of my time to Senator Helms.

Senator HELMS. Well, nobody could disagree with what you said. What I was pointing out is the—it was not even cautious optimism. For more than 30 years there have been efforts to overcome the disfunctional effects of the Stalinist system, and I will leave out the rest of it and get down to the conclusion, and making Soviet foreign and military policy more pragmatic, rational, and effective.

There is nothing pragmatic about shooting down KAL-007, and I mention that because I was almost on that plane. I was on the other plane that night, and we waited at the airport in Seoul for that plane to arrive. And on that plane were two little girls, 5 and 3 years old, I held on my lap. The Soviets deliberately shot down that civilian airliner.

And I made the point the other day, Mr. Chairman, that the news media and somebody in the House of Representatives, I forget who it was, made a big play that, "Oh, the Soviets did not know what they were doing; it was a mistake," and said they got that information from the State Department.

Well, I checked with the State Department. The letter was signed by Ed Fox, and Ed said they quoted it out of context. But all over this country there were editorials jumping on Ronald Reagan and me for being so suspicious of the Soviet Union when the burden of the classified information which is available to any Senator who wants to look at it, was that they knew what they were doing.

Now, it may be some comfort to you that I would be willing to go almost to any length to have peace, and incidentally, we have had a long period of time. One of you jumped on Ronald Reagan a while ago, and I will point out that not during Ronald Reagan's almost 8 years in office has one inch of additional territory been claimed by the Soviet Union, and that cannot be said of previous administrations.

But my problem is in putting a gloss on all of this stuff. As far as Mr. Gorbachev's book, I confess that I wrote a book during a campaign, and it is standard operating procedure to write books, put out and say how, what a stick in my thumb, pull out a plumb, what a nice guy I am, you know.

But all of that is almost irrelevant to the real point of these hearings, Doctor. The real point is are we getting snookered again as we were with SALT II, as we were with SALT I, and with every other treaty that the Soviets have signed that they have cheated on? Yet the statement was made there is no reason to doubt that Soviet leaders will comply with this treaty. I disagree with that.

I do not know where my time begins, but——

The CHAIRMAN. Just carry on.

Senator HELMS. For example, what does "glasnost" mean? What does it mean? What is the definition of the word?

Dr. SHULMAN. I would be glad to answer that, but could I say a word about what you just said? Would that be all right?

Senator HELMS. Well, do not lose my glasnost.

Dr. SHULMAN. I will not.

Senator HELMS. All right.

Dr. SHULMAN. I will come back to it.

You know, I do not think anybody here would defend the shooting down of the KAL airliner. That was a bad thing to do, and we ought to condemn it. So, no disagreement there.

And I think there is a question of whether that has a bearing on this treaty and on the current Soviet behavior.

The fact that Soviet foreign policy is pragmatic, what it means is essentially that Gorbachev has shaken up his foreign policy establishment. He has shaken up the Ministry of Foreign Affairs, he has reorganized the Central Committee, the party apparatus. Now, that does not mean it is necessarily good for us. It just means he is trying to play a more heads-up game. He is doing it in his own interest. None of us would pretend that he is being altruistic.

But he is being more practical and less ideological, and a lot of the old precedents that characterized the Ministry of Foreign Affairs are a lot of what you have occasionally said about the State Department, you know, a bunch of fusty guys, striped pants and that sort of thing. He has gone through that same exercise.

And what he is saying, you guys have to come alive now and be more alert, and his diplomacy is more alert. Now, that means—it does not mean that they are going to be less of a competitor. They may be a smarter competitor.

Senator HELMS. But what kind of competitor? That is what this treaty is all about, Doctor.

Dr. SHULMAN. That is right, that is exactly right, Senator, and what kind of a competitor is this. What he is saying is our main security problems are largely political, that we can pile on the weapons, and it will not do us any good, and the contrary, that it is going to distract from our main job, which is to build the economy.

So, he is arguing for putting more emphasis on the political aspects of international security problems. That is the question.

Now, I will be glad to come back to your glasnost question.

Senator HELMS. What is the definition of "glasnost"?

Dr. SHULMAN. Well, "glasnost," generally—the literal meaning of the word in Russian is voiceness, which does not mean much, but essentially it means openness.

Now, the purpose of it, of that side of his campaign, is to support his economic projects by trying to evoke in people a sense of participation. Now, he has taken over a political culture that for centuries has been built on a pyramid, on which only the people at the top have a say, and down the line, the accustomed attitude—and it goes back before the revolution—was they make the decisions up there, and do not stick your neck out.

Now, this worked when Stalin was applying coercive methods and ruthlessness. It does not work very well as the economy gets more complicated and as it moves into advanced industrialization where you need to have people who will show initiative and innovation.

Now, what he is trying to do, Senator, is simply by widening the area of criticism, he is saying to people you help me check on the bureaucracy. And what you have, for example, we get Soviet television in our institute and watch it with fascination. The other night, for example, there was a call-in show on which the Minister of Jus-

tice was on the tube there, and he got a call from some poor fellow out in Siberia and said "What right do you bigwigs in the party have to go to special shops or to send your kids to special schools? Why do we not have the same right?"

Now, that is what is new. That is what glasnost in practice is beginning to mean.

Now, I would not say everything is transformed. I said in my statement we still have to watch this with caution, but that would not have happened 5 years ago.

The CHAIRMAN. Would you yield to me 1 minute?

Senator HELMS. Sure.

The CHAIRMAN. If the Senator would yield me about 30 seconds, what you said is exactly what I have always felt, that communism is a system that has the seeds of its own destruction within it, not our system, and that as communism moves down the road and people acquire a little more education, they ask questions. That is harmful to it. They acquire some goods, and maybe they will want more consumer goods, and that is harmful to it. And the desires of human beings for religious freedom, travel freedom, work freedom, et cetera, are universal everywhere.

So, it is communism, not capitalism, as Marx said.

Dr. SHULMAN. Communism has been a failure.

The CHAIRMAN. It contains the seeds of its own destruction.

Dr. SHULMAN. Exactly, and for the first time they are beginning to recognize that communism has been a failure. It is not an effective way of organizing resources. It has not produced a working economy.

The CHAIRMAN. I saw that in Czechoslovakia. I was stationed there in 1948 when the Communists took over, without a single Russian soldier and nobody killed.

After 20 years exposure to the blessings of communism, it took a couple hundred thousand Russian soldiers and a lot of people killed.

I am sorry.

Senator HELMS. This is all very interesting, but tell me, give me a list of countries that have gone Communist and have come back from it.

It is a short list, is it not? One.

Dr. SHULMAN. I would not say that any country that had become fully communized has ever come back from it.

Senator HELMS. That is correct.

Now, let me tell you what the Library of Congress told me that the meaning of "glasnost" is. They said it does not mean—now, look here. Whoever is running that clock, I just started. [Laughter.]

That was on his time.

The CHAIRMAN. You yielded to me.

Senator HELMS. I certainly did, and you bother me with that yellow light. Put it back on green. [Laughter.]

Senator CRANSTON. Put it back 1 minute.

Senator HELMS. It is two to one now. How much of an advantage do you want? [Laughter.]

The Library of Congress says that "glasnost" does not mean "openness," it means "publicity." Now, maybe the Library of Congress is wrong, and I just wonder, are the Soviets in fact providing

more information to the free world about their armed forces today under this so-called glasnost?

What do you say, Dr. Scott? You have been silent there for a while.

Dr. SCOTT. My wife and I subscribe to some 23 Soviet journals and to three newspapers. We have been very disappointed because in recent years two of the major journals have been denied to foreign subscribers. One of them is *Foreign Military Observer*. The other one is *Herald of Air Defense*, *Herald of PVO*. This is about their air defense forces.

And furthermore, we do not find any more openness about their present force structure in the press today.

They are publishing some things today in the *Military History Journal* that were written during the Khrushchev era or in 1965. Right after this Brezhnev put his clamp down on what Khrushchev was trying to do and all of such writings were stopped.

On occasion they are giving some comparisons of forces, but again, this is material that is not really revealing anything more about their armed forces. As a matter of fact, one time the editor of *Red Star* told my wife that you are not reading very much in my newspaper, are you? And she said "No, it is very boring." Well, it is even more so today in this period of glasnost.

Senator HELMS. That is the difference between an open society, you can almost buy copies of newspapers here and find out more than our intelligence capacity can develop about the Soviet Union.

There has been some emphasis on the Soviet attention to nuclear weapons, and my information is that while we are virtually not doing anything in modernizing, that is where they are concentrating. You know, regarding the SS-25, you said you did not want to talk about the INF, but the Soviets are modernizing their nuclear weapons, and we are just standing still, and we are taking the Pershing II's out under this treaty and so forth.

Then there is a great conflict. I hear all of these reports about how the NATO nations are just in love with this treaty, and yet I get mail from all over NATO. I am just scared to death for those countries to be left naked. And the military people over there cannot say anything because their governments have taken the position. Our State Department people and others in this administration have gone over there and, according to my information, said "You had better come on out and stand up for this treaty while there is still time, the train is leaving the station."

My final question—I have two, but I will just do the one. We hear a lot about the supposed debates about reasonable sufficiency, and here again, you go back to "Through the Looking Glass." Reasonable sufficiency, debates between civilian intellectuals in Dr. Arbatov's Institute of the United States and Canada, and the Institute of World Economy and International Relations on the one hand, and the Soviet military on the other.

Is this the old hawks and doves image about Soviet defense planning? I cannot make out what is going on.

Can any of the three of you help me with that?

Dr. SHULMAN. Well, may I say a word? Ray Garthoff probably knows more about this than I do. There are debates going on in the journals, and what you get right now in some of the journals, the

phrase that is used is "reasonable sufficiency." What you tend to get from some of the military in the journals is a phrase, "defense sufficiency," and it is clear that behind those phrases there are arguments going on about which way to go.

Now, the real test of this will come not in the words, not in what is written, but what the actual deployments will be, whether we see changes——

Senator HELMS. I agree with that.

Dr. SHULMAN [continuing]. In the weapons that they build and where they place them, and the postures that they put them in, and it is too soon to answer that question, Senator.

Senator HELMS. I agree with that, but my only apprehension is it may be too late when we find out the answer to that question, that real question you just raised.

Dr. SHULMAN. Could I say just a word about your previous point?

This was your opening part of this statement about what the Soviets are doing in the way of strategic stuff. The fact is, Senator, that both they and we are now building four new kinds of systems. We are both building new intercontinental ballistic missile systems. We are both building new submarines. We are both building new intercontinental bombers. And we are both building new Cruise missiles.

So, the fact is they are, but we are.

Senator HELMS. I was talking about the successor to the Pershing II, and of course, we are not doing anything there.

You had something to say, Dr. Scott.

Dr. SCOTT. Yes, Senator Helms. I would like to address that question.

I am afraid at this time I must disagree with Dr. Shulman.

Senator HELMS. That is all right. We are all friends. I even like Alan Cranston.

Dr. SCOTT. The business of the debates has been something that we have been falling for for years. In the 1960's there were the debates, people thought, between the party and the military. This almost was mirror imaging. I believe that Col. Bill Odom, before he made general officer, put this one to rest in "Problems of Communism" several years ago. These debates simply did not exist.

But we thought they did. Because we have debates, we think the Soviets must have debates.

Now, with respect to the social science institutes, Arbatov's institute and Imlmo, and other major institutes, some of these institutes were formed about 1967 based on a resolution of the Central Committee, and their task was to hasten the overthrow of capitalism. Should anyone be interested in that particular statement, I would be happy to provide it.

So, the present men there, Ye. Primakov, and V. Zhurkin, the senior people in the institutes, these men deal with foreigners. That is their job, to present the Soviet Union in the most favorable light possible. And when they write, we may read it quickly and think there is some major disagreement, but if we read the fine print, see what they are saying and see what the military are saying, there really is not any significant disagreement, and they are writing to persuade us. They are not writing for an internal audience.

Senator HELMS. All right.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much.

Without objection, I would insert in the record at this point an address delivered by the Netherlands Minister of Defense, Mr. van Eekelen.

[The information referred to appears in the appendix.]

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. I am glad that Dr. Shulman corrected the record after the statement by the Senator from North Carolina that we have not modernized weapons while the Soviets have been modernizing weapons.

To give a few more details, we have produced the B-1 bomber, which is a modernization. We put ALCM's, air-launch Cruise missiles, on B-52's. We came up with SLCM's, sea-launch Cruise missiles. We put SOBM's on the new TRIDENT submarine. We have modernized our NATO conventional forces with PGM's, precision-guided munitions.

I would like to note that virtually all of this was started under the Carter administration, not under the Reagan administration.

I saw you, Ambassador Garthoff, when the comments were made about glasnost, and the suggestion was made that there is really no openness. There may not be a great deal of openness in revealing military matters in public but there certainly is a lot of new openness on other matters.

I gathered you wanted to comment on that point.

Ambassador GARTHOFF. Thank you, Senator.

Yes, I would like to comment. In the first place, there is a great deal of openness not only on political history, which is also politically currently relevant, and on developments and shortcomings within Soviet society, which is one of the purposes of opening up with more publicity to these matters, but even in the military area there are many examples of different kinds of greater openness that should be noted.

This extends from such relatively minor things as beginning to make known the official Soviet designations for systems rather than leaving it to rest just on western ones. That is not terribly important; it is just a little indicator.

Much more important, I think, is, for example, the fact that they have now acknowledged publicly that their published military budget does not include not only scientific research and development in the military area but does not include procurement of weapons. It is essentially a budget of operations and maintenance.

They have said that they are going to make known a full military budget accounting when they are able to do so, but that has to wait, in part, for pricing reforms because they have artificially structured their whole price arrangements in the past in such a way that they cannot, themselves, give a clear ruble figure. The decisions are basically made on assigning particular resources, the work of particular institutes and factories and so on.

There is much, much more on military thinking, military doctrinal development in the journals these days, and I just could not disagree more with Bill Scott on this. It is very interesting.

I do agree that there have been a few steps back, including specifically the one he mentioned of closing off open subscription to a couple of the military journals, but the others and those that we have managed to acquire anyway certainly are very useful.

There are many other things They published, for example, in Pravda not long ago a fairly closeup photograph of the facility at Dushanbe in Tadzhikistan which had been discussed in this country as a possible laser interception facility.

They have taken members of the Congress to see the notorious radar near Krasnoyarsk. They have opened up and taken foreign observers to their chemical warfare center at Shikany and given information on overall CW stockpile levels as well as showing some examples of munitions.

They have had an increase in foreign military observers at exercises and agreed in the CDE to allow this on a more regular basis. There is a great deal that has been going on.

Now, as far as the debates are concerned, there are real debates. They are not all military versus civilian. Some of them are within the military and within the civilian communities as well as crossing over. But there are very interesting and potentially important debates going on.

We have talked a little bit this morning about this question of reasonable sufficiency. I would just like to recall that although Gorbachev had used that expression first in the fall of 1985 and although the more general idea of sufficiency has been mentioned by in this country in the Eisenhower administration, under Secretary McNamara and by President Nixon in January 1969, and also in some earlier Soviet administrations.

The new concept of reducing to reasonable sufficiency, however, was really put into the pot for elaboration and debate by General Secretary Gorbachev at the party congress in February 1986. Now, the highest body, the highest level of authority for Soviet statements is the report of the Central Committee to the party congress every 5 years, and it was in that report given by General Secretary Gorbachev that he raised this idea of reasonable sufficiency.

The Soviets, both in their military and political journals, were rather slow to pick up and develop that during 1986. There were very few references, but there were some.

In 1987 and 1988, there have been a plethora of discussions, whole articles devoted to it in key military journals and in leading party political journals, communist and Pravda and so on, not just the institute journals. It is developing in terms of important differences.

Whether this means sufficiency for defense in the broadest sense, in which case it may be tautological and not really very helpful, or whether it means sufficiency for a deterrent, as Colonel Scott mentioned, this is often expressed in terms of having an ability with strategic nuclear weapons to deliver a retaliatory strike after being struck.

Well, that has been our standard for many, many years, to have an assured retaliatory capability as a deterrent. The question of whether sufficiency requires parity, as most of the military leaders are suggesting, or whether you could even have sufficiency at something less than parity, as some of the civilians have suggested,

is just one of the many aspects of this which has not yet been settled.

The fact that it is being debated, sometimes rather spiritedly, in both political and military channels to my mind indicates that it is a very serious matter. It certainly is not simply something of palming off a line, because there are conflicting lines.

It is not something that has been wholly developed, and we have to see how it finds effect in actions. Among these actions are military programs.

Also, arms control proposals and readiness to accept particular arms limitations and reductions are actions which bear on this question. I think the INF Treaty is already one clear example.

Proposals that have been made and have yet to be tested with respect to reductions in conventional arms in Europe as well as with strategic arms are other important examples.

The academy institutes serve primarily to give advice on foreign countries and problems to the Soviet leadership. We do not see the private advice they give, of course, so we cannot in that way directly judge the effect. It clearly is of some effect, however, when you see that the last previous director of the Institute of International Relations and the World Economy is now a full member of the Politburo, in a position of policy advice and decision.

The institutes also deal with foreigners and what they say and do, and that sort of dealing has to be regarded with a certain amount of reserve, but that is the lesser part of their function.

The Soviets have been involved in a reassessment of the world as well as of developments within their own country, and they recognize a need to adjust and are doing so.

They are also adjusting their ideology. They recognize that many Marxist-Leninist expectations about weakening and collapse of capitalism, for example, have not panned out, and they are now moving in part, at least, to redress and change this assessment and the actions that they base on it.

We always have to gear our actions to clear decisions and actions on the Soviet part, but the changes that are underway are substantial. They are still very incomplete. Where they all will lead remains to be seen.

What we should do is not assume the best, but also not assume the worst. We should put our own positions forward on the basis of our interests and actively explore and determine how far they are prepared to go in ways that are compatible with our interests.

Senator CRANSTON. Thank you very much.

I would like you to comment on one statement in Dr. Scott's testimony, where he said, "From a close analysis of Soviet writing, I do not see anything really new in the new political thinking."

Getting beyond writing and rhetoric, what would you cite as concrete actions, particularly in the matters relating to foreign affairs and not so much the domestic, that indicate that some new things are actually occurring in the Soviet Union?

Dr. SHULMAN. I think Bill Scott's statement related mainly to military, but your question broadens it out to both foreign and military policy.

It seems to me that there is quite a lot that has happened in the way of action. There is much that goes beyond that in terms of

verbal formulations that we have not yet seen translated into action. We have to watch that.

But already there has been a great deal that has happened in the way of the steps that they have taken to create a kind of a foreign policy environment in which they can get on with their main business, which is the restructuring of their economy.

For example, for years it would have been inconceivable that the Soviets would accept the United Nations as having any utility for them. In times past and going back to the League of Nations, their attitude was essentially an ideological one, that this represents the class interest of the dominant classes.

Now what Gorbachev has faced up to is that he has a stake in it whether he likes it or not, and they have paid up their back dues for the peacekeeping because they recognize that turbulence in the world, particularly, the risk of escalation to conflict is a danger to them, and it would be a distraction from their main business of getting on with their economy at home.

I emphasize it is not altruism. It does not mean that they wish us well, but it means that they are avoiding confrontation and they are especially avoiding new adventures of the kind they got into in the 1970's that might mean a further economic drain.

So, their attitude, for example, to the national liberation movements, to the nonaligned movement, to the other Third World developments is a very cautious one. They are clearly not interested in getting into new adventures that are going to be a drain on their economy. They have learned the lesson that other empires have learned before, and that is that empires do not pay. They are not worth the cost of it.

Now, the most important thing, I think, is that they recognize that they have a self-interest in trying to reduce the drain of resources into the military sector. They have said that there can be no advantage in the pursuit of military superiority.

Gorbachev has faced very explicitly what we ought to face, too, which is that you can pursue superiority but you cannot achieve it, and in the meantime all that you do is to raise the ante, drain the economy, and militarize the society. What he has argued is that we have to address the political aspects of international security problems.

This represents quite a change in outlook for them. He has recognized, for example, that when things happen in the Western economies, like the rise of oil prices or the risk of stagflation in the west, it is bad from their point of view. In the old traditional point of view, it would have been the worst for us, the better for them.

What he has said is that when that happens, the terms of trade turn against us. Whether we like it or not, our economy is affected by what happens in the economy abroad. We are part of the world economy.

He has recognized that as a result of the changes in science and technology, there has been an interdependence developed in the world and that they are part of it, that there is no chance of turning back the clock to their old autocracy when they could do things on their own.

This is a major conceptual step for them which is a far cry from the rather cramped ideological class struggle approach in the period of Stalin.

Senator CRANSTON. I would like to note that there is one common thread in the testimony of all three of you.

You said, Ambassador Garthoff, in a very fine sentence after referring to declarations that have come from the new leadership, "We need not and should not either accept these declarations as a matter of faith nor reject them as a matter of lack of faith." I think that is a superb statement.

You, Marshall, said regarding their efforts for change under Gorbachev, "What is amply clear is that the effort is a serious one which would be foolish to dismiss as a mere deception."

You went on to say, "We have the opportunity to probe Gorbachev's offer of asymmetrical reductions in conventional forces and weapons and has offered to include Soviet forces in the western part of the Soviet Union to be verified by onsite inspections."

Dr. Scott, at the very end of your statement you say, "This is not to suggest that Gorbachev is another Stalin. While we must not ignore the possibility of actual change in the common goals, we must be realistic about the chances."

So, all of you suggest that there may be change. We do not know how deep it runs from the point of view of our security and our relationship with them, but it is something we could explore.

That leads to a general question, and I think it will be my last one unless something you say provokes me to add something more.

I would like each of you to suggest how you think the United States should explore what may be an opportunity. How do we test how far Gorbachev is willing to go in restructuring conventional capacities, in moving from offensive to defensive postures, in asymmetrical reductions which he has talked about, in reducing tensions in the Third World, and in improving our relationship generally?

I have a sense that we may be missing an opportunity, and I would like your thoughts as to what we can do to probe how great an opportunity may exist.

What can we do to learn, if we can, to greatly reduce the dangers of a collision, and to greatly reduce the cost of the present arms contest between our two nations?

What should we be doing now to explore how far we can go?

Can I start with you, Dr. Scott?

Dr. SCOTT. Senator Cranston, in the 1970's it was felt that we had the Soviet Union tied up with so many different agreements that they would be irreversible. We completely misjudged what we could do. We accomplished absolutely nothing.

For the present, we should have formal, proper relations with the Soviet Union. There is no need to extend credit, as we have done in the past. We should recognize we have other allies in the field. If we were to cease to exist today, probably the policies of the Soviet Union would not significantly change.

So, we must be extremely cautious. We must keep our armed forces built and maintained at a level so that we can continue to deter the Soviet Union, but we must not take anything for granted.

We should also keep in mind what happened in the 1930's, when there were various arms control agreements. The powers that became most involved later, Germany and Japan—neither of them followed the stipulations of the treaties which they had signed.

Insofar as the weapons that we concentrated on in the 1930's, the battleship was the primary weapon, but it was of no major consequence in World War II. The primary naval forces were the aircraft carrier and the submarine.

Now today we should be watching very carefully and see what new technologies the Soviets are coming up with. We should be very cautious, and again maintain formal proper relations. But do not think we are going to get close to the Soviet Union, or that whatever we will do in relations will have any impact on their power drive or on their intent to make the world safe for communism.

Senator CRANSTON. Well, I totally agree with you on the need for caution, but I would like to see a more constructive approach of exploring whether we can actually improve the relationship in a way that serves the cause of peace and our security and our economy, and hence the living standards of our society.

Dr. Shulman.

Dr. SHULMAN. I think the problem, Senator, begins with our recognizing our own real interests. That is, in times past it is the case, as Bill has suggested, that sometimes arms control treaties have not produced the results we had hoped for.

But the fact is that in the past arms control has really never been fully tried. It has always been circumscribed by the fact that the levels that are approved in the agreements are built over our present planned programs, and the reason for that is that we did not have a political constituency for it and we had to have the approval of the Joint Chiefs, we had to have the approval of people who did not want to give up programs that we were committed to.

Now really there is a fork in the road here for us, and the question is which way best guarantees U.S. security. Are we better off to build, to force the pace of modern competition and hope that we can overstrain the Soviet Union? Or are we better off to try to stabilize and moderate the military balance through negotiations with them, and to recognize our own self-interest in going in that direction?

We have not done that, and one reason we have not is, as I know you are aware, in American political life there simply is not an effective political constituency for going that way. You do not see evidence of it even in the current Presidential campaign.

And so it seems to me that if we are able through enlightened leadership to make it clear that our best security interest lies in trying to stabilize and moderate the military competition through negotiations and we build up public support that makes those policies possible, then we have an opportunity to probe the seriousness of the Soviet positions.

We are all agreed, as you said, that there is not a basis for trust on either side. But the question is, if we recognize our own self-interest and if the Soviets in fact now have a more enlightened view of their own security interest, is there a situation there that is

worth probing? In order to probe it seriously, we have to be serious about it ourselves?

I believe it is in our own self-interest to do so.

Senator CRANSTON. Most of all, should we not probe as swiftly and as carefully as we can their willingness to make adjustments of an asymmetrical nature in the conventional forces in Europe and the postures of those forces?

Dr. SHULMAN. I think it is important for us to probe there because it is important to our European allies. A good deal of anxiety in Europe among our allies has come in part from the large Soviet conventional forces and weapons, the heavy armor and tactical aircraft on the Soviet side.

Now we have a choice there, either to build up to their level, which is politically difficult, or to see whether the Soviets are serious about bringing that down to the lowest possible level.

The other reason for the anxiety of our allies, frankly, is that they have lost confidence in us, particularly after the Reykjavik meeting and our sudden action without consultation in changing the whole strategic posture. They are psychologically disturbed.

And part of the reason—I go back to what Senator Helms said. Part of the reason why we are hearing different voices from Europe now is that it reflects a psychological sense of anxiety about the steadiness of American leadership. Now, that is basically the issue.

They worry not so much about this treaty—the treaty does good things for them by taking off the SS-20's—but they are worried, as he has suggested, as General Rogers suggested to you in earlier testimony, whether this leads to other things, whether it is likely to lead to actions which would reflect a diminished U.S. commitment to their part.

That is the matter that ought to be of concern to us. But if we probe seriously the possibility of negotiations on reducing especially the weapons and the forces in which the Soviets have an advantage and the armor and the tactical aircraft in which they have advantages down to equal levels and more moderate levels, it will do a great deal to help restore confidence on the part of our European allies.

Senator CRANSTON. Thank you.

Ambassador Garthoff, may I ask you to be a little bit brief in your response. We are running out of time.

Ambassador GARTHOFF. I agree very much with the comments that Marshall has just made. I would make the point in a somewhat different way by saying that in arms control, as in most things, you get what you pay for. We were not ready in the 1960's and seventies and the early eighties to do more. We should have made more of a real try for a MIRV ban before we had MIRV's deployed on both sides, rather than trying, unsuccessfully so far, to devise some way of rolling it back once it had happened.

The same thing is true now with respect to weapons in space. Less pressing but continuing are the areas of chemical warfare and nuclear testing, where I think there are very real possibilities.

Another major area is in advanced military technology applicable for theater nonnuclear as well as nuclear warfare.

Now, to turn directly to your question, I think that the preferable step would be for the NATO alliance to work through and develop promptly positions and proposals for the kind of things we would like to see changed in a European security situation based on lower and, above all, less offensive forces on the two sides.

If we do not do that—and I am not terribly sanguine—we will simply have to react to their proposals, which will come, and have already started, of course. We should be looking at those aspects of the Soviet military posture in Europe that from our standpoint present the greatest threat in terms of offensive capabilities—the large number of armored forces forward deployed, heavy artillery concentrations, and the like, the large bridging capabilities for crossing rivers.

Of course, the Soviets have their own threat list and the elements in the asymmetrical trade is going to have to involve reductions on our side as well as theirs. They are going to put an emphasis on our air strike capability and other capabilities for the strike and counteroffensive thrust.

I am not going to suggest any specific way, but what I am suggesting is that we need to be studying and thinking through in Washington and in the alliance the kinds of possible arrangements that could provide better security and try them out, and see how they develop in the negotiations.

This involves quantitative and qualitative restrictions, and that is going to be difficult. But there are I think opportunities and we should at least test them.

Senator CRANSTON. Thank you very much.

One last thing, Dr. Shulman. I seldom find any area of difference with you, but there is one statement in your presentation I would like to ask you about. You said the crucial step required is to develop political support for a security policy based upon moderating and stabilizing the deterrent balance through negotiations, rather than continuing to seek security through superiority.

It is not really my impression that at the present time we are seeking superiority. I think we are certainly seeking sufficiency.

And incidentally, that is a word that Richard Nixon came up with way back when he was President.

We certainly want parity. We do not want to be behind. But overall, I do not believe that, even under this administration, which has done so much to build up our military forces or to seek to do so, building to a large degree on new systems that were started by the Carter administration, but the expenses have been vastly increased under the Reagan administration—but do you really believe that our policy now is to seek superiority?

I believe that even Caspar Weinberger made statements indicating to the contrary.

Dr. SHULMAN. Senator, perhaps I did not express myself properly and that may have given rise to a disagreement. Clearly, we are under the constraints of our deficit and our budget, and that does set some limits on what we are able to do in the military field, just as the Soviets are under constraints of resources.

A lot depends upon the kinds of weapons that are built. I mean, if the emphasis is on weapons like the Trident II warhead, the D5 warhead for the Trident II, for example, or the MX, weapons that

essentially can target Soviet missiles in their silos, those are destabilizing.

And it may not try to achieve superiority through massive numbers, but what it does is to try to procure an advantage for us in the event we want to target Soviet missiles. Now, it is even more true with regard to the SDI, because what is at issue there is not whether we will succeed in building an SDI system of the kind that the President proposed, which would put a shield over the whole country.

What really concerns the Soviets is not that, because they think that it is not really feasible, as many people in this country think. What they feel is that in the course of building what is the first phase of the SDI system, which involves directed energy weapons, the weapons that are intended to hit Soviet weapons in the first moments of their flight and that are in orbit over the Soviet Union, we may not succeed in overcoming the formidable engineering and applied science problem, but what we will almost surely do is to build a capability for offensive weapons in space.

Now, the question is how are we going to address that new area of the military competition? And I think the Soviet view is that part of the motivation for the SDI is to acquire superiority in that new realm of the competition.

So, I think you are right in saying that we are not building up in terms of massive numbers, but I think it is the qualitative side of the kinds of systems that we are building and the question of whether we are committed to stability in our own interests or whether we are trying to procure an advantage.

Senator CRANSTON. I see what you are suggesting in that respect, and I certainly agree that some of the suggestions that the administration is pursuing could be very destabilizing and could be viewed by the Soviets as seeking superiority.

I want to thank all three of you for your very helpful presence today and your testimony.

And Mr. Chairman, I thank you for your patience and your diligence and your leadership. Thank you.

The CHAIRMAN. Thank you very much, Senator Cranston.

I would observe to Ambassador Garthoff that in the conversation I recall in the late sixties with Mr. Kosygin "sufficiency" did not mean "parity"; "sufficiency" meant "sufficient to inflict unacceptable damage on the other, destroy the other."

So, it could be very different or very asymmetrical, to quote that word which has been used so much.

And I would observe, too, that the administration's budget request for international organizations is going to fall \$100 million short of our assessed contribution. I think it is particularly wrong and unfortunate that at the very moment the Soviets are recognizing the importance of international organizations and have paid up their dues, we seem to be in the process of getting out.

And it is just one more propaganda coup for the Soviets, as well as damage to the UN on our part.

I would like to direct this question to Ambassador Garthoff. Shortly before Gorbachev came to power, I believe Marshal Ogarkov was transferred from his post as chief of staff to be head of the western military district, and that transfer took place after he had

been so critical of the Politburo's unwillingness to increase defense spending.

In your view, do you think that transfer was a demotion or why do you believe he was transferred?

Ambassador GARTHOFF. I think he was moved at that time so as not to be the logical heir apparent to the ailing minister of defense, Marshal Ustinov, who was already very ill at that time.

And it was certainly, in terms of status, a demotion, a move from being No. 2 on the list of military men to being about 14th or so, and was no longer in the central command structure and no longer involved with meetings of the Defense Council, which brought the top political leaders into immediate decision contacts on military matters.

The position which he was then assigned is one of very great importance in their military structure. It was by no means a relegation to some insignificant position, and he has written a few pieces for publication since then. It is a very responsible position. But I think the Soviet political leadership preferred to use his talents in a position away from the direct role that he had in making and contributing to top level decisions, where he was not in a position to continue making frequent public statements implying that the leadership should be doing more.

The CHAIRMAN. Thank you very much.

Dr. Shulman, Dr. Scott, Ambassador Garthoff, thank you very much for being with us this morning. I think this is an interesting record and a real contribution.

The committee will now recess until 2 this afternoon, when we will meet with outside witnesses, nongovernmental witnesses, on the subject of verification.

[Whereupon, at 12:10 p.m., the committee was recessed, to reconvene at 2:05 p.m., the same day.]

AFTERNOON SESSION

The committee met, pursuant to notice, at 2:05 p.m., in room SH-216, Hart Senate Office Building, Hon. Claiborne Pell (chairman of the committee) presiding.

Present: Senators Pell, Cranston, Dodd, Helms, Pressler, and Murkowski.

Senator CRANSTON [presiding]. The hearing will come to order. Senator Pell is on his way over, but in the interests of time I will start the hearing until he arrives.

We are delighted to welcome this panel to this hearing, who are here to advise us on this treaty. And whoever wishes to go first should go first. And the witness list I have is in alphabetical order which starts with William Colby. So, shall we start in that way?

STATEMENT OF HON. WILLIAM E. COLBY, FORMER DIRECTOR, CENTRAL INTELLIGENCE AGENCY

Mr. COLBY. Mr. Chairman, thank you very much. I appreciate the opportunity to indicate my full support for this treaty. I think it important that the treaty be ratified, with a resounding vote, and ratified without harassing amendments or limitations.

I particularly appreciate the treaty not only for its strategic value but its start on the long way toward a further treaty for strategic weapons, and for a start toward a negotiation of limitation on conventional forces and weapons. These are very much in the cards if this treaty is well ratified, and if the administration continues its approach to opening negotiations on those subjects.

The particular subject you asked me to talk about was verification. I would like to endorse this treaty as a remarkable breakthrough on the subject of verification. It is a most welcome development in that the Soviet Union has opened itself to enormous new forms of investigation to assure us of their compliance with the Treaty.

This has been a subject which has harassed the subject of arms control since its inception, when Bernard Baruch's 1946 proposal for a ban on nuclear weapons failed because of our inability to verify whether the Soviets would comply. It has harassed the whole history of arms control in a variety of other ways.

This treaty opens up a new vista of the ability to inspect onsite, to establish all sorts of technologies to assist us, to establish other cooperative measures to assist the process.

So I think it is a very important step indicating that if we are truly to live together in this world we are going to have to open ourselves to more visibility by those threatened by us.

In fact, Mr. Chairman, I think the subject of verification is a subject which is fairly easy to understand, unless one gets into the complexities. And if one gets into the complexities, one often loses the main point. One sees too many trees and does not see the forest.

In fact, if both sides want a treaty, the verification issue can be very easily settled. It either can be settled by an awareness of the scope of our national means, or it can be settled by cooperative measures.

If either party does not want a treaty, or if individuals who have to ratify the treaty do not want a treaty, then verification is the easiest excuse that can be offered. This has been the case also over a number of years.

I think it important to think a little bit about verification. And when one does, one realizes that in fact the United States is going to verify Soviet weaponry whether we ever have a treaty or not.

This is a continuing responsibility of our intelligence services, to know what weapons the other side has, what forces the other side has. We are going to conduct this in peace and in war, with treaty and without treaty.

I think that we do an excellent job of it. The best evidence of that is to be seen in the Department of Defense annual report on Soviet military forces. That particular report covers many, many things in the Soviet Union which are not "verifiable."

It covers, for example, the number of tanks. Now, you cannot say with precision that there are x number of tanks. But you can certainly say within a range how many tanks there are. Even though you can hide tanks under forests, under barns, and all the rest of it.

Our intelligence services these days, by the whole concept of central intelligence, can give you an accurate assessment of the total

number of Soviet tanks. And certainly of their more strategic weapons, such as we are talking about.

In fact, of course, this process is eased by a treaty, by the cooperative measures which have been agreed in other treaties, and certainly by the cooperative measures which are reflected in this treaty. As I say, these are a breakthrough on this difficult subject.

The third element of the verification process is the establishment of communication with the Soviet Union about potential violations. Because without a treaty such as this, there is very little communication.

In this treaty there is established a verification commission between the two parties to meet on the call of either side so that these matters can be resolved. And hopefully end the somewhat sterile shouting at each other about violations in the public print that we have seen too much of in recent years.

I think that kind of communication would not exist without a treaty, because the other side can just simply refuse to talk or to listen.

Lastly on the verification issue, I will quote President Reagan as saying that there is no such thing as absolute verification. He is absolutely right. The question is how much verification do we need?

Various administrations have played with words on this, "effective," "sufficient," "adequate," all the rest of them. These were attempts to delineate how much verification we need.

Now, that gets to the question of why do we need verification? Do we need it to prove to the last jot and tittle that there is no possible violation? I do not think that is the purpose of verification.

I think the purpose of verification is to protect our country, to protect our country against surprise, to protect our country against substantial violation which could threaten our security.

And on that standard, I think it is very clear that the combination of our own national means, our national technical means for one, but other means also, to include defectors and other sources of information about the Soviet Union, plus the cooperative measures included in a treaty such as this, make it very clear that this treaty will add to our national security and will not expose us to any detriment to our national security.

I urge the Senate to ratify the treaty as it stands. Thank you very much, Mr. Chairman.

The CHAIRMAN [presiding]. Thank you very much indeed, Mr. Colby. Mr. Graybeal.

STATEMENT OF HON. SIDNEY N. GRAYBEAL, FORMER U.S. REPRESENTATIVE TO THE STANDING CONSULTATIVE COMMISSION

Mr. GRAYBEAL. Mr. Chairman, gentlemen, it is an honor and a pleasure to appear before this committee. I would like to make a few brief remarks on the INF Treaty, and I will also emphasize the verification provisions and their relationship to the forthcoming START agreement.

I am more anxious to address your questions than to read a lengthy statement. I have provided a very short statement, but I

would propose to make some informal talking points on the main issues of that statement.

I would like to emphasize the views I am expressing here are strictly my own. They should not be attributed to any government, department, agency, or to any private organization.

Like Mr. Colby, I firmly believe that the INF Treaty is in the U.S. interest and that of our allies, and that it should be ratified. The INF Treaty, in my view, is of more political significance than military significance. But it is a very useful step in the arms control process.

However, it should be followed by a comprehensive START agreement, and by rectification of the conventional imbalance in Europe either by arms control or by U.S.-allied unilateral actions.

The INF Treaty verification regime clearly meets the U.S. standard of adequate or effective verification. The Carter administration used adequate, the Reagan administration used effective. I think they are essentially the same.

It is the most comprehensive verification regime that has ever been negotiated. My compliments to the administration for the detail they were able to negotiate into this particular treaty.

It is probably more than is required to meet U.S. security interests. But it is a useful precedent for future agreements, particularly a START agreement, and for opening up the Soviet Union.

Verification regimes should be judged on their military significance. Specifically, can we detect and identify any attempted evasion which occurs on a scale large enough to pose a significant risk to the United States? And can we do this in ample time to mount sufficient response?

The other consideration is, of course, a political consideration. And most arms control agreements are political agreements. Therefore, any small violation tends to take on major political significance.

But I think we must look at the INF Treaty and the forthcoming START Treaty in the context of the potential military significance of possible violation or circumvention. And that is the basis on which I believe that verification regimes should be judged.

Now, there are some other verification considerations associated with the INF Treaty. As pointed out by Mr. Colby, the data exchanges, the counting rules, the notifications, the onsite inspections of declared facilities are useful complements to our national technical means, which have been and will remain the essential element of all arms control verification.

I think that we must and should apply more resources to strengthening our national technical means. They are the foundation of arms control. They will be the critical foundation for any START agreement.

The U.S. approach to onsite inspections for the INF Treaty provided some very useful lessons. And I think these lessons are applicable to START and future agreements.

The original demand for short-notice challenge inspection of suspect sites proved to be a two-edged sword and a Catch-22 situation. We wanted the ability to inspect any suspect facility on short notice to assure that there were no illegal treaty items present.

However, this meant that the Soviets would have equal rights to such inspection, and could jeopardize United States interests. Once the Soviets said "Yes" to the demands for these inspections, the United States took a very hard look at the implications of having Soviet inspectors in a lot of United States facilities.

And certainly our intelligence facilities, our DOD facilities, certainly the black programs could be in jeopardy. And I think there was serious concern as to what would happen if we really pressed for this anywhere, anytime inspection. That subject is going to come up again in START, because it is a part of the summit agreement, and it must be looked at very carefully in that context.

The catch-22 emerged when it was recognized that if any facilities capable of containing treaty limit items were excluded from the onsite inspection, for security reasons or other reasons, then there would be a loophole for evading the agreement by hiding treaty-limited items in the excluded facilities.

Now, fortunately, in the INF case, the negotiation of the double zero agreement provided an out by removing the missile system infrastructure. But this will not be the case in a START agreement.

I think, in fact, the infrastructure problem was recognized when in the INF agreement they also negotiated successfully the requirement for the Soviets to open the SS-25 garages and let our national technical means check to assure that there were not SS-20's in those particular garages. I think that is also a very useful precedent for START.

The role of onsite inspection in any arms control agreement, in my view, deserves a lot more attention than it has received. Onsite inspections of declared facilities provide a deterrent to cheating. Invitational inspections can help clarify ambiguities.

But the third category, the short-notice challenge inspections of suspect sites, frequently called "anywhere-anytime inspections," are probably not in the U.S. interest, and are not needed to provide adequate verification in a militarily significant context.

In addition, they provide numerous mischiefmaking opportunities for those persons who are not interested in arms control, and who are looking for additional compliance issues.

My point is that if you have these challenge short-notice inspections, if there is in fact a Soviet violation you will not get to that facility. The truck will not run, the airplane will not fly, the helicopter will not work, or you will have diarrhea. In other words, you just are not going to be able to get to that particular facility.

They can be a deterrent. But I think that the inverse works. If the Soviets have comparable ability to challenge the United States, there are significant risks of jeopardizing United States security.

In my view, with the extensive Soviet intelligence capabilities in the United States, they know which building to go to, where our sensitive technologies are, and they can focus their challenge inspections much more readily to acquire the needed information than the United States can in the Soviet Union.

My bottom line is that there needs to be a very rigorous net assessment of the pros and cons of all aspects of onsite inspection to determine which is really in the U.S. interest, and where the dangers are, rather than pursuing a course that says we must have more and more onsite inspections.

I am all for opening up the Soviet Union, but I am concerned about the dangers to United States security. Until that net assessment is made, I think we should be very careful in pursuing there challenge short-notice anywhere, anytime inspection, as may be the case in START.

The specific verification provisions of the INF Treaty call for a Special Verification Commission SVC.

I think this body should be combined with the existing Standing Consultative Commission, which was called for by the ABM Treaty, into a single body responsible for handling the implementation and compliance issues associated with existing agreements, the INF agreement, the START agreement, and future bilateral agreements.

We should benefit from the experience and background of that group, and I do not see any reason or justification for two separate bodies.

In my view, there also should be an NSC-chaired coordinating committee to assure the effective implementation of the INF Treaty and a likely START Treaty. You have four different operations going on.

We have the notifications called for by the INF Treaty, which will be handled through the Nuclear Risk Reduction Center, and there are hundreds of these. We have the compliance issues which will be handled in a Special Verification Commission.

The Defense Department is establishing an onsite inspection agency to be manned by about 400 people spending \$180 to \$200 million in the first year. Each of these bodies are going to be taking actions and implementing the agreement. In addition, you have the ongoing intelligence community's monitoring reports.

So, it is essential in my view that some body assure coordination and effective utilization of the resources in these to avoid duplication, and to avoid the possible mistakes.

The INF preparations, negotiations, and implementation provide a unique opportunity to learn valuable arms control lessons, particularly in the verification area. We should capitalize on this knowledge as we proceed to the militarily significant START agreement.

My basic concern is that the START train is moving fast, I would like to slow that train down in the verification area until we can at least learn from the implementation of the INF agreement the lessons and the mistakes, and then design a START verification regime that takes into account the lessons learned from the INF Treaty.

I am worried that the process is moving rapidly. When you move that rapidly with a summit deadline, that is when you can make mistakes. And that can be hazardous in the verification area. Thank you, Mr. Chairman.

[The prepared statement of Mr. Graybeal may be found in the appendix.]

The CHAIRMAN. Thank you very much. Dr. Drell.

STATEMENT OF DR. SIDNEY D. DRELL, PROFESSOR AND DEPUTY DIRECTOR, LINEAR ACCELERATOR CENTER, STANFORD UNIVERSITY, STANFORD, CA

Dr. DRELL. Thank you, Mr. Chairman, for the opportunity to testify in support of the INF Treaty. I strongly recommend the Senate ratify the treaty as negotiated and signed and without reservations, basically for three reasons.

First, the negotiated reductions in numbers of missiles are in our national security interest. Second, the provisions for verifying these reductions are fully adequate, and constitute valuable and unprecedented progress in instituting cooperative measures of verification.

And third, ratification of the treaty will give concrete evidence that the two superpowers working together can resume progress toward reducing the threat of nuclear conflict.

Verification is today's focus. But I will comment very briefly first on the value of the numerical reductions as negotiated.

These reductions are consistent with the U.S. position at the beginning of the negotiation. They mark a major concession by the Soviet Union, who will be removing almost four times as many deployed nuclear warheads and almost twice as many deployed missiles as will the United States.

The elimination of the INF missile systems is global, it is total, including both deployed and undeployed systems. And it is not linked to any restrictions on our allies' forces.

The facts do not support claims that these reductions will lead to the decoupling of the United States nuclear guarantee to NATO, or that they will lead to the denuclearization of the NATO deterrent against a massive Soviet supremacy in conventional armaments.

They are but a modest step that will reduce NATO's deployed nuclear arsenal by only roughly 10 percent. In fact, the Soviet Union will be removing more missiles that are potential targets for NATO than NATO will be decreasing its warheads with which to attack them, in the ratio of 857 to 429 United States warheads.

Another measure of the INF Treaty is this. In 1976, before the Soviets started deploying their SS-20's, they already had some 590 SS-4 and SS-5 intermediate-range missiles deployed with their nuclear warheads, and the United States had no such missiles deployed. Fifteen years later, in 1991, if this treaty is ratified this year, both sides will have zero deployments of these forces.

The INF reductions increase the importance of NATO's implementing a strategy and maintaining a balance of conventional forces that are less reliant on early use of nuclear weapons.

The next stage of negotiations in the European theater should focus on the need to establish an overall stable relationship of conventional forces. However, I do not view a change in the current conventional balance as a prerequisite to the INF Treaty or to the strategic arms reductions at START, given the high level of nuclear firepower and the diverse means of long-range delivery still remaining available to NATO.

Turning to verification, the INF Treaty establishes the most comprehensive and intrusive verification regime for arms control ever agreed to by the United States and the Soviet Union.

The provisions for verifying compliance represent a breakthrough. I agree with the previous speakers on this. As one who has been closely associated with verification problems and technology for many years, I am pleased, in fact I am amazed by the progress negotiated here.

Except for missile production facilities, all facilities mentioned in the treaty are subject to some form of onsite inspection. These onsite inspections will provide for establishing a baseline inventory for witnessing the actual destruction of missiles and launchers at designated sites, and for confirming the elimination of facilities.

In addition, each party to the treaty has a right to conduct short-notice challenge inspections of missile operating bases and support facilities and of former bases, too, for 13 years after the entry into force of the treaty.

A permanent continuous monitoring system will be created at the portals of any facility of the other party at which there is final assembly of ground-launched ballistic missiles which use stages similar to the one used by the prohibited missiles.

This is a concern of the United States, that SS-20's not be hidden among SS-25's. These are unprecedentedly comprehensive provisions that go on and on for many pages in the treaty. They are of great value in their own right. But more than that, they provide experience in the type of cooperative means of verification that will be required for future agreements to limit strategic offensive forces.

It is very much in the interests of the United States to encourage this development of cooperative means as viable supplements to the national technical means that we have relied on thus far for verifying treaty compliance.

During this debate, concern has been expressed about the record of Soviet compliance with previous arms control agreements.

On such an issue as complex and full of questions of interpretation and ambiguities as treaty provisions in the compliance area, there will be a range of judgments and there will not be clear answers one way or the other.

But a central issue here is what are the required standards of compliance? Of primary importance in judging compliance is whether activities that are ambiguous, or appear to be treaty violations, can constitute a threat to the U.S. national security.

This is difficult, as I say. But my net assessment is that so far the Soviet Union has indeed a satisfactory record of compliance with current treaty agreements. And this record provides a basis for continuing the negotiating process and for the United States to continue to honor current treaty commitments.

There are several compliance issues that should be resolved. But both countries have adhered to the vast majority of the constraints contained in treaties already signed.

One big issue, in fact, seems to have been resolved already. The United States has expressed legitimate concern about the substantial increase in Soviet encryption of data during their missile test flights.

But this alleged treaty violation has, in principle, been removed by the joint communique signed at the Washington summit. In the communique the leaders agreed that a ban, a total ban, on teleme-

try encryption during missile flights should be a part of an upcoming treaty on the strategic forces.

Concern has also been expressed about loopholes in this treaty. In particular it has been suggested that the Soviet Union might deploy a new class of missiles to replace those being eliminated. And furthermore, they can do this legally by testing them at a range in excess of 5,500 kilometers.

This example simply points up the fact that standing alone by itself the INF Treaty is but one step that does not complete the journey toward a stable balance at lower force levels.

In fact, there is no need for either country to build new strategic missiles, ICBM's or SLBM's, to replace the intermediate-range missiles being eliminated. Any of the existing strategic missiles, with their many thousands of warheads in both countries, can be reprogrammed onto the same targets now assigned to the INF missiles.

What we have here in this example is not a loophole, but an argument for ratification so that we can move ahead to complete a treaty at START that will remove this as an issue. Successful negotiation of a START Treaty will make the INF Treaty more valuable and vice versa.

In the meantime, this concern can be muted if the Soviet Union and the United States reaffirmed their commitment to the numerical restrictions of SALT II on the number of deployed offensive strategic missiles.

It was the United States who unilaterally abandoned those limits of SALT II in 1986, which we should now declare our intention once again to comply with, and also take the very minor corrective action required to bring our current forces under the negotiated ceiling.

A second concern about the provisions of the treaty has to do with the uncertainty in the total number of undeployed Soviet INF missiles. How confident are we that all the Soviet storage areas will be disclosed and how can we confirm the elimination of all undeployed missiles?

This issue raises again the question of what are the required standards of compliance. In judging this issue, two factors are important to bear in mind.

First, the treaty stipulates that all such missiles must be eliminated. Therefore the challenge is not to be able to count accurately the number remaining, but more simply to discover whether there is even one such missile or launcher or support facility which by itself would be *prima facie* evidence of a violation. Under this circumstance, the risk of exposure to a would-be cheater is much greater.

In addition, any such missile system, if retained covertly, would be a wasting military asset, since neither the missiles nor their launchers could ever be test fired or participate in troop training exercises. It would also have no deterrent value whatsoever, if its existence were secret, and its potential threat unknown.

One can expect that over time, with more operational experience, and with follow-on strategic agreements broadening the scope of such cooperative measures, confidence will grow in the accuracy of United States knowledge of the database of Soviet missile systems.

The cooperative means negotiated in the INF Treaty are an important supplement to our national technical means for verification of treaty compliance. They provide the groundwork for progress toward a firmer base for verifying future treaties.

And they do so by finding that delicate balance which meets U.S. verification needs without exposing us to the danger of the intelligence fishing expeditions, such as Ambassador Graybeal mentioned, by permitting anyplace, anytime inspections that we would find unacceptable ourselves.

The negotiators deserve the highest praise for crafting these provisions, which in their own right argue strongly for ratifying the INF Treaty.

I will conclude by saying that above and beyond this treaty's direct impact, it opens up the path to a more important agreement, the reduction of strategic arms by the formula that has been spelled out in the summit communique.

And it permits us to focus our efforts now on making that greater progress. And judged by this, I value the INF Treaty greatly, and I urge its ratification. Thank you.

[The prepared statement of Dr. Drell may be found in the appendix.]

The CHAIRMAN. Thank you very much. Mr. Douglass.

STATEMENT OF DR. JOSEPH D. DOUGLASS, JR., DEFENSE CONSULTANT, FORMER DEPUTY DIRECTOR, TACTICAL TECHNOLOGY OFFICE, DEFENSE ADVANCED RESEARCH PROJECTS AGENCY, DEPARTMENT OF DEFENSE

Mr. DOUGLASS. Thank you very much. It is a pleasure to be here this afternoon. Today I would like to turn to the other side of the coin; namely the Soviet side.

Roughly a year and a half ago I was asked to do a study for the Government on Soviet compliance. The motivations behind the study were clear. There was a great deal of concern over Soviet violations and noncompliance, and the question that I was asked to address is "Why do the Soviets violate arms control treaties?"

This particular study was quite different, because what I was asked to do was really rely primarily on the firsthand expert knowledge of former high-ranking Communist officials, particularly from the Soviet Union and from Eastern Europe, for my information. Today, what I would like to do is share with you some of the information that was provided by these officials.

Their principal message was that Soviet arms control is a military and an intelligence operation. The main objectives that they identified were to help the Soviets gain superiority, to confirm intelligence on United States plans and capabilities, to facilitate acquisition of trade and economic assistance, to drive a wedge between the United States and our NATO allies, to set the rightwings and leftwings in the United States against each other, and to mislead the West as to the nature of Soviet intentions.

Now, perhaps the most shocking information I received was the information on Soviet cheating and deception that is endemic in their system, and is particularly a part of the arms control process.

The arms control process is planned as a long-range strategic operation with cheating and deception planned well in advance, often 20 years in advance. This planning includes the deliberate hiding of weapons and weapon development programs well in advance of any negotiations.

Now, it was important to recognize here that not only is cheating and deception planned in advance, but also they have entirely formulated the response to be taken if cheating is determined by the other side to be taking place.

The Soviet strategy for responding to charges of cheating is called "offensive denial." And by this is meant that the first step is to deny the accusation, and the second step is to place the blame on the United States.

Nor is this where the cheating and deception ends. It also includes the development of propaganda and disinformation campaigns that are designed to set the stage so that once accusations of cheating are made, the denial and the shifting of the blame is supported by the data that is in the public domain.

Now, I think it would be useful to illustrate the way the process proceeds with some historical examples, which I have selected because of their relevance, and because of the manner in which they illustrate the process.

One of the best examples is the nuclear test moratorium, which, as you recall, the Soviets broke in September 1961, with the largest, most extensive series of atmospheric nuclear tests that was ever conducted by any nation.

In preparation for this, Khrushchev convened a meeting of the top Warsaw Pact leaders in early 1961. The purpose of the meeting was to orchestrate a massive peace campaign that would be used to cover the test preparations and deflect the attention of the West.

Khrushchev opened this meeting by stating that the Soviets were going to break the moratorium later that year. It was essential to resume testing, he went on to explain, to advance Soviet nuclear capabilities, to show they were not scared of the United States, to separate the leftwings and rightwings in the United States, and to facilitate Soviet propaganda toward Europe.

A peace propaganda campaign was to be initiated immediately to show the world that the Soviets were more interested in peace than the United States. The propaganda would also raise the problems of war and nuclear weapons, for example, through propagandizing German militarism, which would then serve as a justification for the Soviet defensive preparations.

Additionally, the Soviets assumed that the United States would, in return, resume testing themselves. And consequently, the plan was to blame the United States after the Soviet test series. A meeting to implement this portion of the plan was convened in Moscow in November 1962. In attendance at that meeting were the top officials involved in propaganda and deception.

Now, it is very interesting to go back and look at the Western press response that was associated with this resumption of testing. When you do, what you see is a very limited response to the Soviet test series that broke the moratorium. The real dynamic response, the adverse response in the press, did not emerge until President

Kennedy announced that tests were going to be resumed in the spring of 1962.

The position put forward by the Soviets is best illustrated, I believe, by Khrushchev's statements in a news conference he held in July 1962.

In response to questions on the breaking of the moratorium, Khrushchev stated that the Soviets were not the first to test. That honor belonged to the United States, along with the honor of using nuclear weapons first.

The Soviets did not terminate the moratorium, he stated. Rather, they were only responding to the U.S. test series that was conducted before the moratorium went into effect.

And he stated that President Kennedy had declared U.S. mobilization and threatened war, and "it was then that we decided to carry out nuclear weapons tests in order to prepare our army better in case the U.S. President actually carried out his threat and unleashed war against the Soviet Union."

His final comments were that if the United States continued testing, the Soviets would be forced to do likewise. And the United States would only be stimulating an escalation in the arms race.

Now, one of the very important things that this also brings up is the use, the Soviets' use of language; for example, "arms race." "Arms race" is defined in the Soviet political dictionary as the ever-increasing acquisition of arms by the imperialists. It has nothing to do with Soviet arms.

Another particularly interesting example concerns the 1967 treaty that prohibited placement of weapons of mass destruction in space. This began with the 1963 U.N. resolution not to place such weapons in space.

There was a Soviet Defense Council decision not to comply with the resolution that was reported in a highly classified Soviet report that one of the people working with me had access to. The decision itself was discussed at the Czech Defense Council in 1966, when Czech participation in research and development that was prohibited by the resolution in the subsequent treaty was being planned.

Attached to the Soviet report on the defense council decision was a copy of the special order from the Soviet Defense Council to the U.S.S.R. Minister of Defense, the Minister of Interior, which is where the KGB is, and the president of the Academy of Sciences, directing that all activities that were prohibited by this treaty be kept secret.

Similar instructions were then attached to the Czech Defense Council directives regarding their activities. Specifically, as described by the former secretary of the Czech Defense Council, the instructions stated that there would be no mention of the military applications of space below the top-secret level, the Politburo would not be informed of the work provided under cover of the Academy of Sciences, all Czech scientists who were to participate in the program would have to pass an additional security background investigation in which the Soviet KGB military counterintelligence specialists would participate, and finally, all work would be under Soviet direction channeled through the Czechoslovak Ministry of Defense.

This defense council decision also contained an order to the appropriate departments, directing these departments to prepare, based on Soviet guidance, a propaganda campaign to be employed against the West, accusing it of exploiting space for military purposes.

On looking back over the study in preparation for today's hearings, what struck me as the most important findings were that none of the former officials who participated in the study was in any sense confused or hesitant about Soviet objectives in arms control. It was clearly a military and an intelligence operation designed to enable the Soviets to gain decisive military superiority and economic assistance.

They also saw no mutuality of interest between the Soviet Union and the United States. They did not believe the Soviets would sign any treaty that would not operate to their political and military advantage.

And, they could see no basis whatsoever to change this assessment, because the Soviet strategy in their opinion had been so successful in the past, and because they believed it would continue to be successful.

This is but a small preview of the material that was provided by the former officials. Several of them were the highest level officials we have ever had defect. And there were several midlevel officials and some low-level officials.

As I mentioned earlier, it is really their firsthand knowledge I am reporting on, not speculation. I have really only been able to touch on a small portion of the study. But I am very happy to say that the study was cleared in its entirety for open publication, and it will be published and available to the public very shortly. I was able to obtain an advance copy of the study now published as the book "Why The Soviets Violate Arms Control Treaties" for your use. Thank you.

[The prepared statement of Dr. Douglass may be found in the appendix.]

The CHAIRMAN. Thank you. I would appreciate having a copy in the committee files. And now I would turn to Mr. Harris.

**STATEMENT OF WILLIAM R. HARRIS, ANALYST, RAND CORP.,
SANTA MONICA, CA**

Mr. HARRIS. Thank you, Mr. Chairman, members of the committee, ladies and gentlemen. It is my pleasure to be here today to participate in this panel.

I have a fairly long statement which addresses three aspects of verification, and I ask for the permission of the Chair that it be placed in the record.

The CHAIRMAN. The full statement of all the witnesses will be placed in the record as if read.

Mr. HARRIS. I will just summarize it in 10 minutes. I served on verification panels for a long time, since the Wood's Hole Summer Study of 1962, which first addressed the problem of onsite inspection and recommended principal reliance on national technical means.

We have now come back to a combination of national technical means and onsite inspection. And in recent years I have participated as an international lawyer in verification assessments for the interagency SALT/START group, and for a Presidential Commission tasked by the President to review Soviet compliance with all of its arms control obligations in force.

I have also addressed U.S. compliance issues upon request, and reviewed the drafts of the INF inspection protocol and other treaty instruments in the 1986-87 period.

One reason, therefore, that I focus in my prepared testimony upon legal obligations is that we have at least as many problems in verification, understanding what those obligations are, as obtaining the information which is necessary to make compliance assessments.

Why is it that someone like myself, who has been immersed in the record of selective Soviet treaty noncompliance, supports the INF Treaty?

I quote from Boswell's "Life of Johnson," Samuel Johnson's reaction upon learning that a gentleman who had been very unhappy in marriage had remarried immediately after his wife died. Johnson said, "It was the triumph of hope over experience."

The same can be said of the INF Treaty. And it is not wrong to hope for a better record of compliance with arms control obligations, despite our past experience. But I believe the Senate can improve the prospects for satisfactory performance of the INF Treaty and of any future treaties by its process of advice and consent, taking steps to clarify the legal obligations in this treaty.

In particular, it would be helpful if the report of the Senate Foreign Relations Committee were to restate the objects and purposes of the INF Treaty based upon the treaty instruments, the preamble, the testimony of witnesses, and the reports of other committees to the Foreign Relations Committee.

That is important because the basic standard for verification, which is found in Article 31 of the Vienna Convention on the Law of Treaties, emphasizes the relationship to the object and purpose of the treaty.

Back when I came into this enterprise of verification in the Wood's Hole Summer Study, that report for a new U.S. Arms Control and Disarmament Agency proposed that verification must facilitate the decision on response.

This has not been done. Verification has identified specific acts of compliance and noncompliance. But verification has not led to reports on whether the violations constitute one or more material breaches.

Do the reported acts defeat an essential object or purpose? If they do, what are the likely consequences of responsive U.S. action? This lack of integrative assessment has resulted in a seemingly contradictory policy of pursuing new arms control agreements while publicly reporting U.S. inability to induce full compliance with obligations that exist.

Let me just indicate that I believe it is important that those of us who are concerned about noncompliance not underestimate the value of efforts to assess the state of performance and to strengthen incentives for compliance.

There is mounting evidence that the Western democracies are capable of responding to treaty violations and are committed to strengthening incentives for treaty compliance. We have not done enough, but there is some evidence of at least some improvements in Soviet compliance behavior. I have identified six examples on pages 3 and 4 of my testimony, which I will not review here.

I will indicate one example after Brezhnev was no longer General Secretary, Brezhnev was, a man who had participated in the violation of more arms control agreements than any 20th century statesman. Upon the accession to power of Yuri Andropov, there was an apparent cessation of the use of lethal chemicals and toxin agents in March 1983.

And this involved U.S. verification assessments, and participation by other nations. At least a half dozen other nations participated in review of the state of compliance. And although many of those verification assessments were incomplete, the increasing concern, the publicity, led to cessation. We would like to have more examples, and there are some that I have indicated.

Another reason I would support the treaty is that this particular treaty is not a significant barrier to ongoing or prospective responses to those Soviet violations which persist.

We can, under the INF Treaty, rectify the balance of conventional forces in Europe if we have the will and with our allies are prepared to spend the money and take the effort.

The INF Treaty is not a bar to offsetting existing or potential Soviet developments of a base for territorial defense of the Soviet Union relative to the ABM Treaty. The INF Treaty does not bar efforts to modernize or render more environmentally safe chemical weapons systems. They contribute to the deterrence of the use of chemical weapons.

And I believe we can hope, even if we cannot depend on that hope, that the present and future leadership of the Soviet Union will realize that arms control compliance is the only prudent course. But we have to make sure that it is.

Let me go to specific measures, which I think could help those of us who end up doing verification work for arms control treaties. I have already indicated that clarifying the objects and purposes of the treaty is important.

It would also be important and helpful if this committee makes clear in its final report that the data base, the initial data base of November, 1987, and all subsequent data bases that constitute an essential aspect of the treaty, relate to the duty to facilitate verification, and that a breach of full and fair disclosure or correction of inadvertent errors in reporting in the initial or subsequent data bases would constitute a material breach no less important than a breach of a substantive elimination provision.

Moreover, intentional interference with the rights of inspection provided under article 11 should be found to constitute a material breach. It is only if we are prepared to insist upon the procedural safeguards and their integrity that we will reap the fruits of the additional facilitative verification measures in the treaty.

Let me next turn to a difficult question before the Senate now, which is the question of applying interpretive reservations to the treaty.

How can the Senate understand the commitments that are made in the treaty, participate in those commitments, and clarify those commitments in a way that does not give the United States unequal rights?

Basically, as John Jay put it in Federalist No. 64, "A treaty is only another name for a bargain." And if we have procedures which limit the United States more than other nations to treaties, we can at best obtain equal rights, and we may well obtain lesser rights and greater obligations.

For two centuries, the Senate has assured that there are mutual obligations and rights under a treaty. Basically, in the first 5 years by mutual consultation, before a treaty is signed, and thereafter by placing interpretations if they are essential in the resolution of ratification.

I urge that the Senate do so again so that we do not have unequal rights under this treaty or other treaties, because in addition to the inequality of the rights, if we have that procedure in this treaty, it will strengthen Soviet incentives for deception in START negotiations, so that if a United States witness, an official witness, testifies to a limit, the United States will be bound and the Soviets would not.

And it could also cause further disuse of the treaty instrument, which constitutes roughly 1 in 20 U.S. international obligations in the 20th century.

Let me turn, to very briefly, on facilitating verification measures. First, I think it is important to facilitate new survey capabilities by national technical means, which I cannot discuss in open session, and in addition I believe it is important to obtain unexpected collection which is necessary to identify deliberate concealment measures, should they occur under this treaty.

And finally, let me say a word about the relationship between verification and compliance policy. There is no point in verifying if we do not respond.

And I have suggested in my prepared statement some specific measures whereby the Senate and the House together might consider changing their standards for reporting on noncompliance so that material breaches, if identified, encourage a Presidential report and action by the Congress in response to it. Thank you.

[The prepared statement of Mr. Harris may be found in the appendix.]

The CHAIRMAN. Thank you, Mr. Harris. Now we will get on to questions, which we have been looking forward to, limiting ourselves to 10 minutes each.

I would like to start out with this general question as to what aspects of the INF inspection regime that is being talked about here might be particularly applicable to a strategic arms reduction agreement, if such came to be? And I would start it with Mr. Colby and work down.

Mr. COLBY. Well, I think the declaration of forces is certainly a very clear requirement.

We had it in SALT II, but I think the detail declaration by the parties, keeping the other side aware of changes in the quantities involved, is very applicable to START, the START regime.

There may well be areas where inspections will be necessary in a START regime in order to distinguish ambiguous situations. A challenge inspection is certainly appropriate to straighten out ambiguities or apparent violations.

The CHAIRMAN. In other words, in the START Treaty, one would want to be able to challenge anywhere, not just declared sites?

Mr. COLBY. I think you should have a basis for declaring perhaps that a certain violation is occurring, and a procedure set up for an examination of the situation.

I have long believed that we should approach violations of treaties in somewhat the way we approach violations of our domestic law, that there is a distinction between a traffic ticket, a misdemeanor, a felony, and a capital crime.

A treaty regime should include different procedures to reflect the asserting party's denomination of a particular thing as either a capital crime or a felony or a misdemeanor or whatever. That would affect the degree of urgency, the degree of intrusion of the particular inspection.

The CHAIRMAN. Thank you. Mr. Graybeal.

Mr. GRAYBEAL. I think that the national technical means is the foundation of INF verification and it will be more important in START.

The verification provisions negotiated in the INF Treaty, which I think are valuable precedents for START, include the cooperative measures which are the database exchanges, the ability to have onsite inspections of declared facilities to confirm those data bases, and limited onsite inspection of other declared facilities in order to provide a deterrent to cheating.

The easiest way of cheating is at known facilities where you have the systems all set up, the production line going, the operating bases. In the INF Treaty, you are removing that infrastructure, therefore you do not have the great ease or incentive to cheat from a Soviet standpoint. And as Dr. Drell pointed out, they can retarget Europe with other systems, SS-19's and so forth.

On the last point, on this question of challenge inspections, anywhere, anytime that your suspected activity is going on, I am afraid I differ from my friend, Mr. Colby, in the sense that I do not believe those are required for INF, and I do not believe they are in the net U.S. interest for a START agreement for the reasons that I presented.

I think they provide opportunities for the Soviets to acquire sensitive information on United States facilities, in a better and more extensive manner the United States will find in the Soviet Union. And even with a challenge inspection, if there is an actual violation, you will never get to that particular site.

The Soviets will not let you get to that particular site. And so at most they are a deterrent. But as a deterrent, I can see where the United States might suffer more than the Soviets. And so I do not believe that type inspection are in the net U.S. interest for a START agreement.

And as I mentioned in my statement, I believe the START agreement must be based on militarily significant criteria. Namely, significant violations. You can detect them in time to take actions, and you should not try to put the perfect agreement, 100 percent

verification, that you are going to catch every single small item that takes place.

Mr. Douglass is correct. The Soviets will press to the limits of an agreement. But I do not believe the Soviets ever entered into an arms control agreement on which they must cheat in order to protect their security.

I do not believe they will act on that purpose, and therefore I think the basis of protecting U.S. security is your national technical means, complemented by these cooperative measures, but short of the short-notice challenge anywhere anytime inspection, that you can go in and look at any facility in the Soviet Union and in the United States.

The CHAIRMAN. Thank you very much. Dr. Drell.

Dr. DRELL. The cooperative means that are in the INF Treaty will be useful, indeed, for START. Also the experience we gain with them will be useful for START.

START has an added burden and that is that you are not removing totally the infrastructure for the weapons as you are in the INF zero-zero agreement. You are going to just be limiting numbers, and therefore the requirement for cooperative inspection will be more difficult.

I notice that in the December summit communique, signed by President Reagan and General Secretary Gorbachev, they took note of this, because the words in that communique are that there would be at START continuous onsite monitoring of the perimeter and portals to confirm the output of critical production and support facilities.

There will be short-notice onsite inspection of the declared locations, and then in addition the new element, in accordance with agreed upon procedures, short-notice inspections.

And I think that is the key: In accordance with agreed upon procedure. You cannot have anywhere, anytime inspections for the reasons Mr. Graybeal has said. But you are going to have to have, in accordance with procedures, when, as Mr. Colby said, you have a basis for making a challenge you must have the right to forthrightly proceed to carry that out.

And I think this will be crucial in the START Treaty to have that in accordance with agreed upon procedures worked into an operational significance, just because we will be dealing with systems for which the infrastructure will remain, in contrast to the INF Treaty.

I think it can be done. But it is going to be difficult.

The CHAIRMAN. Thank you. Mr. Douglass.

Mr. DOUGLASS. A number of people have commented that the procedures are the most intrusive and comprehensive that we have ever negotiated.

When you start from a zero base, that can be true, and yet they can still be rather trivial. I am afraid that is my opinion in reading through the treaty and looking at the various provisions.

I do not think they allow for any type of verification that is in any sense significant, except they might allow you to think you have verified what the Soviets have said.

The CHAIRMAN. Could you pull the mike a little closer?

Mr. DOUGLASS. As I indicated, in my reading of the treaty, the provisions for verification only allow you basically to verify what the Soviets say is the case.

Consequently, I would dislike seeing the provisions apply to the strategic area. And I think this is one of the great dangers in the treaty; that it will act as a precedent for START.

For example, if you want to take instruments to measure the missile or determine what is there, unless the Soviets say that those are appropriate instruments you cannot take them in.

In reading the treaty, there is no way that I can see that the people taken into a facility will even know what facility they are at. As it has been practiced in the Soviet system, in taking even members of the Politburo to visit a classified site they were taken in buses where all windows were painted black, for security measures.

When you are at a facility what do you do? You look at a building, you look inside the building, you can look at a canister. You have no way of knowing whether that is a real canister or a dummy canister.

You have absolutely no way of looking at a missile. If the Soviets say the canister has a missile and a canister is only large enough to hold one missile, you cannot look at it.

You cannot look in to determine there is a missile there. You have no way whatsoever of determining there is a missile there, that I am aware of, or to see that a missile is destroyed. You cannot even weigh the canister. Not that that would make any difference. You can ask the Soviets to weigh it.

You cannot take a measurement at former missile bases. You can ask the Soviets to take a measurement. You cannot even take a picture. You can ask the Soviets to take a picture. So, as I see it, there is absolutely nothing there that allows you to do anything other than verify precisely what the Soviets want you to verify.

The CHAIRMAN. Excuse me. I thought you could take a geiger counter and put it next to it.

Mr. DOUGLASS. That is not identified as such in the treaty, to my knowledge. Nor do I know why you would want one, if the warheads are supposedly removed.

The CHAIRMAN. The counters would not react.

Mr. DOUGLASS. Well, I would assume the Soviets would have a nice canister for you to look at.

Now, what it is filled with, I do think they would want you to have something that you would react to. But on the other hand, a geiger counter would not be permitted, as I would read the treaty at the present time, since the treaty does not have anything to do with verifying nuclear material or nuclear warheads. Therefore, you do not need a geiger counter.

The CHAIRMAN. Mr. Harris.

Mr. HARRIS. Senator Pell, my response is predicated on the assumption that a START Treaty would have mobile land-based missiles.

I would favor most of the procedures that are found in the INF Treaty, and the data base. The elimination inspection procedures, I think, are quite rigorous, in the sense that one really gets to see if

something is eliminated. That at least relates to weapons systems, even if one does not get to see the entire weapons system.

The inspections of declared facilities would be helpful. The Special Verification Commission would be helpful only if it had open meetings, so it does not reduce the price of noncompliance.

Suspect site inspection would be, I think, essential, at least in some respects, with criteria that limit where inspectors are allowed to go. Because almost all of the Soviet Union is off limits under the INF Treaty inspection system, and START is of greater significance and has greater incentives to cheat.

And last, I think it would be helpful to explore additional technical means of inspection beyond perimeter and portal monitoring, such as tagging of treaty-limited weapons systems, if we get to a START Treaty.

The CHAIRMAN. Thank you very much, Mr. Harris. And I would point out, Mr. Douglass, that paragraph 9 of the 6th section of the procedures says, "The inspection team may bring into the inspection site such documents as needed to conduct the inspection, as well as linear measurement devices, cameras, portable weighing devices, radiation detection devices," that would be geiger counters, "and other equipment as agreed by the parties."

Mr. DOUGLASS. Thank you for correcting me. Certainly they can take radiation detection devices in.

Senator HELMS. What are you saying? I did not understand you.

Mr. DOUGLASS. I thanked him for the correction. It does have radiation detection devices.

Again, I am not sure why you would want them. But it is useful, perhaps.

The CHAIRMAN. Senator Helms.

Senator HELMS. Thank you, Mr. Chairman. Maybe we ought to write in a CAT scan on these things. I do not know whether that would help things.

Mr. Douglass, I think it would be important for the record if you would briefly explain the INF Red Team. Could you discuss that?

Mr. DOUGLASS. I suspect there are a variety of INF Red Teams. I was associated with one in particular that took a look at the verification problems associated with the INF Treaty for the Arms Control and Disarmament Agency.

And that was composed of about five people who looked in detail at the problems to try and determine what was the potential of verification, given the inspection regimes that were being considered at that time.

Senator HELMS. Well, your red team, the one you alluded to, did it get into Soviet cheating scenarios?

Mr. DOUGLASS. Yes, it did.

Senator HELMS. What were the principal scenarios that you came up with?

Mr. DOUGLASS. It looked at scenarios only in the sense of trying to determine whether things could be done that were prohibited.

To discuss those in any great detail, this would have to be done in a closed session. Most of the data that was looked at, and the scenarios themselves, I believe, would be considered classified.

Senator HELMS. Maybe we can get you back here and get into a closed session. I think it would be important.

Well, in a general sort of way——

The CHAIRMAN. I think Mr. Graybeal wanted to be recognized.

Senator HELMS. Well, let me follow up the question, then I would be delighted to hear Mr. Graybeal.

Does the INF Treaty fail to prevent, or fail to preclude, any of the scenarios? I do not ask you to identify any of these scenarios. But does this treaty prevent or preclude any of these?

Mr. DOUGLASS. No.

Senator HELMS. Yes, sir.

Mr. GRAYBEAL. I just wanted to add a point on the red team that Mr. Douglass referred to. Three members of your panel here today, Mr. Harris, Mr. Graybeal, and Mr. Douglass, were part of that five-man team on that red team exercise. And two points I wanted to add to what Joe said.

Namely, that was done earlier in the process, and many of the recommendations of that red team, I am told, were incorporated into changes into the treaty in order to strengthen it, because it was done before the treaty was finally negotiated. And we did look at scenarios for evasion. But unfortunately, those scenarios are still classified.

One of the main concerns that we had, which was not classified, is the discrepancy in the data base. Specifically, we were given intelligence briefings which have now been made public as to the level of production of SS-20's.

And there was a great spread between the CIA estimates, for example, and the DIA estimates. And that spread did cause us considerable concern. The Soviet announced figure, as you gentlemen are aware, fell within that spread. And I think that is still an issue which we identified and is still an issue as to what is the actual data base involved in the SS-20's.

Senator HELMS. I want to get to that precisely. You anticipated one of my questions down the line.

Before I do, Mr. Harris, as you know, there has been a great deal of confusion surrounding the number of SS-20's that the Soviets actually have. I have never seen as many figures, and I have got to be careful because there was a code level meeting yesterday, well I guess I better not say what I started to say.

But I will say that our distinguished chairman, Mr. Pell, somewhere along the line reached the conclusion, and I had the folks look up his exact words, he reached the conclusion that nobody knows how many SS-20's the Soviets have and nobody will know. And I am inclined to concur with my chairman on that point.

Now, what I am getting at is, if we do not know how many missiles the Soviets actually have, it means that we have scant choice other than to trust that the Soviets will give us the correct figure. Is that not correct?

Mr. HARRIS. Well, I do not believe it is quite correct in the sense that we take their initial disclosures as the first hypothesis to try to confirm or falsify. We keep looking.

And when you have a data base that is disclosed after there have been press reports that give roughly the ranges that indicate the views of intelligence agencies, it is not surprising that the initial disclosure will be within a plausible range.

But we keep looking. And we have sometimes surprised ourselves finding violations we said we could not verify, like the biological weapons convention. So, since I do some of this kind of work, I am not prepared to give up. And it may just take time, but we will keep working at verifying data bases.

Senator HELMS. Not, it is a fact, however, that the Soviets did provide falsified information and figures in SALT II.

Mr. HARRIS. The Soviet Union did fail to report on SS-16's probably deployed at Plesetsk and misclassified the range of one air-to-surface Cruise missile, the AS-3.

One problem, and maybe one reason they did that, is that we had two administration witnesses in 1979 who indicated that the initial declaration was not legally binding. And that only encourages misreporting.

And under international law, there is a duty to act in good faith during the negotiations as well as after a treaty is signed and before it is ratified. So, I hope that this committee in its report makes clear that to misrepresent the data base would be a material breach from the outset.

Senator HELMS. I thoroughly agree. Incidentally, anybody that wants to interpose, please do.

But let me ask you, in your opinion, can the United States verify, prior to ratification, the accuracy of the data base provided by the Soviets for this INF Treaty?

Mr. HARRIS. Only in part.

Senator HELMS. What part?

Mr. HARRIS. The part would be classified. I mean, there will be specific elements in the data base where there is likely to be useful information, some of which is obtained by unexpected means so that we can verify in part the data base.

But it does not mean that we have confidence in the reliability of the whole data base.

Senator HELMS. All right. Now, this treaty, does it not, fails to prohibit either the United States or the Soviets from eliminating missiles prior to the time the treaty is implemented, enters into force? Is that not correct?

Mr. HARRIS. That is correct.

Senator HELMS. Which means either the Soviet Union or the United States can reduce its missile numbers as identified in the MOU, the memorandum of understanding, to reflect such elimination.

Now, under the treaty, are we provided with any inspection rights whatsoever for eliminations conducted prior to the treaty's entering into force?

Mr. HARRIS. I do not believe we are provided the rights before the treaty enters into force.

Senator HELMS. Now, the New York Times has a little story here yesterday morning that says East Berlin, the Soviet Union has begun dismantling part of its intermediate-range nuclear arsenal and so forth.

And I would ask unanimous consent that that brief item be entered into the record at this point.

The CHAIRMAN. Without objection.

[The information referred to follows:]

[The New York Times, Feb. 17, 1988]

SOVIET SAID TO SCRAP MISSILES

EAST BERLIN, Feb. 16 (AP).—The Soviet Union has begun dismantling part of its intermediate-range nuclear arsenal in East Germany, the state-run press agency ADN reported today.

The step makes "an important contribution toward disarmament even before" a treaty to eliminate the medium-range missiles is ratified, the agency said.

According to the report, rockets stationed north of Berlin have been dismantled, crated and are ready for transport back to the Soviet Union.

ADN did not say how many had been dismantled or when the rockets would be transported back to the Soviet Union. East German television late Tuesday showed soldiers loading missile crates onto transport vehicles.

Senator HELMS. Mr. Chairman, let me stop at this point and maybe you will give me an extra 30 seconds on the next round.

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. Thank you, Mr. Chairman. First I would like to ask Mr. Colby and Mr. Drell this question.

The verification procedures established in the inspection protocol to the treaty are more elaborate than in any previous United States-Soviet arms control agreement. Do you anticipate any serious problems or misunderstandings that might arise under this inspection regime?

Mr. COLBY. I think you will have a lot of bickering as the thing is worked out.

I agree with Mr. Drell that you will have occasions in which the transportation is not made available, sometimes for good reasons, sometimes for evil reasons. It largely depends upon the will of the other side to carry the treaty out and to make all of these provisions work.

But I refer to my point that the scope of the agreements is such that the chance of any substantial violation going undetected is very, very small.

Dr. DRELL. Senator, I agree with that. I think the chance of any militarily significant violation not being detected is indeed very small.

Senator CRANSTON. The question of what is an acceptable level of verification has been at the heart of the debate over arms control, as you know, for many, many years.

During the SALT I negotiations, the United States accepted the principle of "adequate verification". During SALT II that term was also used. More than 8 years ago Harold Brown, then Secretary of Defense, defined for this committee what he meant by "adequate verification" in his testimony on the SALT II Treaty then before us.

He said, "Any Soviet cheating which would pose a significant military risk or affect the strategic balance would be detected by our intelligence in time to respond effectively."

Do you believe we can apply that same standard in determining whether the INF Treaty is verifiable?

Mr. COLBY. I do, Senator. Very much so. I believe it is possible to cheat or to hide a single weapon or several weapons.

It is not possible to hide an effective military force. And our intelligence systems are designed to reveal any such effective mili-

tary force aimed at us. The various provisions for verification in the treaty are certainly laudible. They provide greater assurance.

We need not trust the Russians. We should not. We do not have to. We can watch them. And with this treaty, we can go look to a degree that hitherto we have not been able to.

Senator CRANSTON. Dr. Drell.

Dr. DRELL. I agree. One can hope that above and beyond numerical provisions of the treaty one is developing a method of cooperation in verification with the Soviet Union that will lead to a more constructive relation in this area than we have had in the past. And that in itself will be of value.

In addition, because the treaty says that the number of systems is zero and not 10 or 20 but zero, as I remarked in my testimony, if we have missed a few or a small fraction of the number, or they have dissembled, they will have a wasting military asset which does them no good either militarily, as it grows obsolete, untested, unexercised, and it has no value for a deterrent, because it is unknown.

Senator CRANSTON. Dr. Drell, you said in your testimony, page 8, that there is one clear Soviet violation of the ABM Treaty beyond ambiguities and questionable issues.

You said the one clear violation is the unfinished large-phase array radar located near the town of Krasnoyarsk in Siberia. Then you say, "Even if completed, this radar will not pose a military threat in view of its physical characteristics."

You sort of explain that in a footnote. And without getting too technical, could you explain why in your view it is not a significant military threat?

Dr. DRELL. I will be glad to. Let me point out that there is a one and one-half page appendix to my testimony which tries to spell that out.

The basic reason why I say that has to do with the physical characteristics of the Krasnoyarsk radar and of the other large phased-array radars that the Soviet Union has been building.

The others are on the periphery looking outward, and are in accord with the provisions of the ABM Treaty. They provide early warning. Designed as early warning radars, they radiate at a wavelength that is comparable to the size of a warhead that is approaching. Like a meter in size.

That means you get the biggest return in energy from the radar wave bouncing back, so you have the greatest sensitivity and you can see the incoming warhead at the greatest distance. That is what you want for early warning.

That wavelength of radar is easily blacked out, easily loses its effectiveness. If there is a high-altitude nuclear explosion anywhere nearby, it is just a property of the atmosphere at high altitudes that a relatively high density of electrons is formed in a nuclear explosion at a high altitude.

Those waves will be bent, they will be absorbed, and the radar will have essentially no capability for battle management the minute the first high-altitude detonation occurs.

In addition, it is a very vulnerable structure subject to direct attack. When the United States was building ABM radars for battle management as part of our Safeguard system, and as we

carry forth our research program now, we design them to have shorter wavelengths, higher frequencies, so that they are immune to this distorting effect.

So, it is basically the physical properties, the wavelength they radiate makes them quite susceptible to being blinded, in addition to their being large, vulnerable structures. That is what I meant.

Mr. COLBY. May I contribute a word on Krasnoyarsk, Senator?

This is used as an indication of Soviet perfidy and willingness to cheat. And certainly it does reflect a conscious Soviet decision to cheat on that treaty. For what reasons we do not know.

I can think of several hypotheses, but they did cheat. But the fact is that that cheating was discovered within about a year of the construction, the beginning of construction of that radar, and it has been going along for about 3 or 4 years since.

Our Congressmen who visited it say it is nowhere near completion. If it is then completed it is of no real value to the Soviets unless it is accompanied by a massive ABM system, which will actually provide the weaponry to use the information from such a radar, which would take another 5 to 10 years to create.

So, we are talking about a violation that we identified somewhere around the first year or so of its construction that could not be a military threat for 20 years. I think that is a triumph of verification, not a basis for attacking verification.

Senator CRANSTON. Do any of the others of you on the panel have any comments on what Dr. Drell and Mr. Colby have just said about Krasnoyarsk?

Mr. HARRIS. I do, Senator. First, it is not the only violation to start with. There are three violations.

There were a deliberate concealment measures involving ABM interceptors in the early 1970's. There is the recent movement of ABM radars to Gomel, which is maybe not of great military significance but it is interesting because it is on Gorbachev's watch. There is the Krasnoyarsk radar and there is the "highly probable" concurrent testing of some SAM components and ABM components.

So when you take those together, the recent unclassified compliance reports of the administration indicate recurring concern about preparations for defense of the national territory.

And Krasnoyarsk, of course, by itself has no military use. But if it is combined with interceptors, if it hands off targets to other radars before nuclear bursts occur, then it could be important.

Senator CRANSTON. Mr. Douglass, I would like to go a little bit further than Chairman Pell, just reiterating part of what he said, to correct the record on one thing that you said.

The inspection protocol to the treaty allows for our inspectors to use all equipment, all linear measurement devices, all weighing devices, and all radiation detection devices ourselves. We make the measurements.

It is true the inspected party takes the photographs, but they must do so to our satisfaction. The camera must be capable of producing duplicate instant prints so we will know immediately whether we have the information we want.

I would yield now, Mr. Chairman.

The CHAIRMAN. Senator Dodd.

Senator DODD. Let me just pick up, if I could, on Senator Cranston's second to last question.

On the Krasnoyarsk issue, because that was one that has been used and has become such a point of contention, let me just ask you a threshold question. In any of your opinions, is the Krasnoyarsk facility as is a violation of the ABM Treaty? And I would start with you, Mr. Harris.

Mr. HARRIS. Yes, I believe it is, even though the specific term "deployment" was not defined in the ABM Treaty.

But if we look at the practices under the SALT I interim agreement and then the definitions in SALT II, something is deployed when it is removed from its final assembly area.

When construction is begun of a radar that is not on the periphery, not facing outward, that becomes a violation at that point.

Senator DODD. So, even a noncompleted facility at Krasnoyarsk is a violation?

Mr. HARRIS. Yes. And the reason it may defeat the purpose is that the original provision in article 6 of the ABM Treaty was to prevent those activities that take away long lead time of breakout.

And these are the longest lead, the big radars. So the mere construction, the mere beginning of construction, undermines that purpose.

Senator DODD. Now, is it not possible, before I ask the rest of you to respond to that, that the arguments were made that this facility was not, in fact, going to do what many of us believe it may have been, in fact, intended to do, and that is exactly what you have described, but it could have filled other functions along the way? Is that not true?

Mr. HARRIS. The Soviets have said that it is a space tracker. They term with great derision efforts on the part of U.S. citizens to claim it is an early warning radar.

We just have not found the characteristics compatible with space tracking, and it would lose 6 or 7 minutes for early warning. And I think that is why the administration reached its conclusion.

Mr. GRAYBEAL. Whether it is an early warning or a battle-management radar we cannot tell. But the point is that it is a clear violation of the ABM Treaty for two specific reasons.

Senator HELMS. Mr. Graybeal, pull your microphone closer.

Mr. GRAYBEAL. For two specific reasons. One is that the purpose behind the ABM Treaty was to permit the two sides to have the necessary security of early warning with the large radars, and at the same time to prohibit those same radars from being used as ABM battle management radars.

We accomplished that by requiring them to be on the periphery, outward looking, and we proposed undefended. The Krasnoyarsk radar is not on the periphery or outward looking. Therefore it is a violation of that particular provision.

Now, on your point, is it intended for space tracking? Intentions were not part of the ABM Treaty negotiations. We strictly based it on capabilities. Now, space track radar can also be an early warning radar. An early warning radar can look at space tracking.

This radar has the technical characteristics of an early warning radar, and therefore its location makes it a violation.

The last point is that too many people say, but it is not completed, it is not turned on. That philosophy says that it is not a violation until you flip the switch and turn it on. Under that provision or interpretation, one can build 10 of these radars across the Soviet Union, which would be the base for a territorial defense, and they would not be a violation until the switch is turned on.

That radar is a violation once it was clearly identified as being an early warning radar, which as Mr. Colby pointed out, was early in the process. And there is no way you could excuse that.

Senator DODD. Do either of you want to comment?

Mr. COLBY. I fully agree that it was clearly a violation.

This gets back to why do we verify? Was it a violation of the specific wording? You can argue that. Was it a violation of, or a potential violation of our national security? Yes. And therefore it is a violation as far as we are concerned.

Dr. DRELL. I just wanted to say I agree. The physical characteristics of that radar are very similar, if not identical. It is not finished yet.

But it looks like it will be identical to the other early warning radars. And it has to be interpreted as such. According to my reading of the treaty, once the construction was started, it became a violation.

Senator DODD. I presume you agree with that, Mr. Douglass. Do you agree with what has been said?

Mr. DOUGLASS. I wanted to respond back to Senator Cranston's comment, if I might.

Senator DODD. Let me just go on to something else, and then you can come right back.

Richard Perle in testifying before this committee a few days ago made a recommendation for an amendment to the treaty with regard to the GLCM's, the ground-launched Cruise missiles, that the word "nuclear" be added.

So, the prohibition would, the term "ground-launched Cruise missile" means a ground-launched Cruise missile that is a nuclear weapon delivery vehicle. Of course some of the present wording of the treaty prohibits all GLCM's, whether they be nuclear-tipped or conventional.

What problems does that pose in your mind if such an amendment would be added in terms of verification?

Mr. COLBY. Lots of problems in terms of identifying whether it is nuclear-tipped or not, because there will be nonnuclear ones presumably as well as nuclear ones. If one counts all GLCM's as nuclear, why then that is all right.

Then you are just classifying a whole class, which is exactly what the treaty says. If you separate the two categories you are creating difficulties which can be resolved, perhaps, by identifying certain bases and then looking for the support structure for a nuclear base, other than the one that is conventional. You could solve it, but it would be a lot of trouble.

Senator DODD. Do you have any indication, before the rest of you respond to this, about the quantity of Soviet GLCM's, if you will? Where are they in the context of, versus ourselves in that particular area?

Mr. COLBY. I don't.

Dr. DRELL. Well, on that point, the value of a GLCM is very much tied to the technology of its final seeker, because you want the precision onto target, by means of terrain following onto target.

And by all public statements of the comparison of military technology, United States versus Soviet made in the Joint Chiefs annual report and the Secretary of Defense's report, that is an area where we have technical superiority. I think it is a quite significant one.

So, I do not know about the numbers. I am not aware of any large Soviet number. I think they are coming into the GLCM technology or the Cruise missile technology later because they are behind us in sensors. They will be there.

I do not see any value to following what Dr. Perle recommended. It would make the verification problem much more difficult, because you would have to be up very close to discern the presence of a nuclear warhead. It is not something you can do at a distance.

And so it gets down to a question of military judgment. Is it of value? And here I cannot say that I have an expert military opinion to offer on the balance of including the word "nuclear". General Galvin the SACEUR, has said he can do his mission with this treaty, and I would let it stand at that.

Senator DODD. Mr. Douglass, Mr. Harris.

Mr. HARRIS. Yes. I have three brief points. First, verification of the existing ground-launched Cruise missiles in a manner that would distinguish nuclear and nonnuclear was adjudged not to be verifiable, in fact.

And it is the primary reason that the United States, after reserving the right to maintain conventionally armed Cruise missiles, concluded that it could not do so under this Treaty.

Point No. 2, that does not mean that some future class of Cruise missiles could not be designed so that they would be built and operated in a manner that it would be possible, with facilitated measures, to verify them. But they were not in existence at this time. And so it was decided not to reserve that right.

A third point, because it was only the verification issue, which led to the prohibition on conventionally armed Cruise missiles in the range of 500 to 1,500 kilometers, I hope that when this committee is through with its hearings its report will indicate that it was only for verification purposes.

So that if the United States decides to maintain or expand air-launched or submarine-launched Cruise missiles that at some point might be conventionally-armed, that that would not be seen as an evasion of the treaty, because it really was not the purpose of the treaty to limit those.

Senator DODD. In your view, then, it would be a mistake to include such an amendment at this point?

Mr. HARRIS. Well, that is a judgment for the Senators. But it is not verifiable. We cannot verify the difference.

Senator DODD. I am just asking your opinion.

Mr. HARRIS. My opinion is that it would be a mistake.

Senator DODD. Mr. Douglass.

Mr. DOUGLASS. I think there is a great potential for using Cruise missiles, certainly with nuclear warheads.

Certainly there are verification problems that would abound. It is certainly much easier if you declare them all out of the picture. The idea of allowing one particular class so that a particular type of modernization could go forward, I would say, would be counter-productive.

If you then ask, well, who has the advantage, the Soviets or the United States, in such a case, if we look at, for example, the Soviet use of chemical weapons, they vastly exceed the United States capability. And obviously, one of the types of warheads one might put on a missile in such a case would be a chemical warhead.

Now, a Cruise missile is practically an ideal disseminator for chemical weapons. Thus allowing for such use I would think would be a step backward, in a sense. If you can get rid of all Cruise missiles, I would say get rid of them.

Senator DODD. Do you want to comment at all?

Mr. GRAYBEAL. I just want to say I think it would be a mistake to modify this treaty.

But also it might be a mistake to take this precedence and say that must be applied to the START agreement, because you are dealing with a whole new range of Cruise missiles in the SLCM's, the air-launched Cruise missile.

So, I think that, though this is pertinent and valuable and useful for verification purposes in this agreement, I would hesitate to say that we adopt that same principle in the START agreement until we have looked at the military implications for the United States and the military significance of potential violations.

Senator DODD. Thank you very much. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Dodd. Senator Helms.

Senator HELMS. Mr. Chairman, thank you very much. It has been very interesting. And before I forget to do it, I want to thank all five of you for coming here today. I know it is an intrusion on your time. But it has been very helpful.

Mr. Douglass, I want you to search your memory, and the other four of you might as well, in the minds of the Soviet military and political leaders, has the Soviet Union ever, ever paid any price whatsoever for its arms control cheating down through the years?

Mr. DOUGLASS. Certainly the impression I have is that there appears to be no penalty associated with cheating.

There is a bit of rhetoric that takes place. But I am not aware of any penalty. And certainly this is one of the things that also impressed the people that contributed to the study that I did.

As a matter of fact, they believed there was absolutely no incentive for the Soviets not to cheat because there was no penalty.

Senator HELMS. The State Department may fire off a hot letter or a warm letter. I know they nudge each other over there in the Kremlin and say, "Oh, look at it, they have written to us again." It is sort of like beating them to death with a wet noodle.

I think we ought to talk just a minute about what is the role of Marxism-Leninism in Soviet foreign policy, because this has a good deal of play in this question of the treaty and other matters.

The CHAIRMAN. Could I interrupt for a moment?

Senator HELMS. Yes.

The CHAIRMAN. By Marxist-Leninist, do you mean the combination of the two?

Senator HELMS. The combination of the two. I will hyphenate them. I did not know I had to hyphenate when I said it.

Mr. DOUGLASS. This really refers to the ideology of the Soviet Union. It is a particularly interesting question, because there seems to be a majority opinion that ideology is dead, that it is ineffective, and it is not something we need necessarily pay much attention to.

And indeed, when I start questioning a number of defectors, I left ideology off my list of priorities. Much to my surprise, the two highest level defectors, both independent of one another, came back and said right at the beginning, you have got to start by understanding Marxist-Leninist ideology because if you do not you cannot understand the arms control process.

Soviet foreign policy, they explained, is based on the principles of Marxism-Leninism, and you have to understand that.

It was also interesting that in several of the Soviet instructions that were identified, associated with deception, the ones heading the list were to encourage the West to believe that there was no connection between ideology and Soviet foreign policy, that the two were independent, and that the ideology was ineffective.

That is a very interesting point because we tend to ignore it. Yet it is very important in the minds of these former high-level Communist officials.

Senator HELMS. Well, as we say in the Baptist church in North Carolina, amen brother. And just for the record, I never talked to you about this before, have I?

Mr. DOUGLASS. No.

Senator HELMS. As a matter of fact, we have never talked about anything. Have we?

Mr. DOUGLASS. No.

Senator HELMS. Yes, sir.

Dr. DRELL. If I could just comment. I do not view this treaty as a favor to the Soviets.

I do not think we should ever enter a treaty based upon their view of it. It should be based upon our view of whether it serves our national security. Because to the extent that I dislike the Soviet system, I feel it is important that we enter into those agreements which serve our purpose, and perhaps make the likelihood of conflict less likely.

Now, in terms of what the impact of a treaty has been on the Soviets, perhaps it is not totally irrelevant to recognize that to keep under the SALT I and SALT II Treaty limits on offensive forces, the Soviets have retired, in their modernization, more than 1,200 missiles and some 20 submarines.

Now, that has often been said to be what they were going to do as they modernize, to save money. But they did do it under a treaty limit. And the parallel is that in Europe, when there was no treaty limit as they brought the SS-20's in, they did not retire their SS-4's, they added them on.

So, one can say there might be some evidence that they do pay a price to stay under numerical limits when they sign treaties.

Senator HELMS. Well, when it does not adversely affect what they want to do, I agree with you.

Mr. COLBY. Senator, may I offer a comment on that?

Senator HELMS. Sure.

Mr. COLBY. On the first question, have they suffered by their cheating, I think the answer is——

Senator HELMS. Have they suffered from cheating.

Mr. COLBY. I think the answer in part is they have, to some degree.

They lost the opportunity to eliminate the American nuclear weapon in 1946 by their insistence that there be no inspections. They lost the opportunity of a comprehensive test ban by their insistence of a very small number of inspections in 1963.

There have been a variety of things, steps forward that presumably they were interested in because they have started in the negotiation, and refused to go ahead with, that they have not been able to carry through.

These would have been substantial reductions of American power. Because the buildup of American forces followed those particular incidents.

With respect to Marxism-Leninism, of course it is the ideological base of the Soviet Union. But increasingly the ideology itself is being viewed as bankrupt around the world by most countries outside the Soviet Union, and increasingly within.

The Chinese have moved against Marxism-Leninism, clearly, in their opening up of their economy. The rather gingerly steps that Mr. Gorbachev is taking are certainly not according to good, pure Marxism-Leninism. They are an unhappy move away from the strong rules of it.

He has not opened it up for democracy, do not get me wrong. Not by a long shot. But they are certainly losing the degree of enthusiasm they had in the early days for it.

Mr. DOUGLASS. May I comment on that, Senator Helms?

Senator HELMS. Sure.

Mr. DOUGLASS. One of the things that Secretary General Gorbachev has done has been to insist upon a return to Leninism and to make it even stronger than it has been recently.

He has made that clear many times in his speeches, and it shines forth in "Perestroika," where he cites Marxism-Leninism teachings 20 times on a page, quite often.

When you look at the relaxation, it is also useful to look at history, and the ability of the Soviets to relax the ideology or items that appear to be connected with the ideology so as to cause us to believe that they are changing.

This began with Lenin in the new economic plan, in which he wanted the seeds of capitalism to appear to be growing, so that the West would think that the ideology was not strong.

Under Khrushchev this was the main deception introduced, which was called peaceful coexistence, in which he introduces many changes; for example, changes in the economy and in their approach to foreign Communist parties.

He opened the gates and let the artists write and returned people from the gulags. Almost a carbon copy of what we see happening today. Yet it was not a departure from Marxism-Leninism.

Indeed, if you look at the writings of the people at the time, it was to make Marxism-Leninism more effective, to return to the basic precepts. It was not a relaxation in the principles, particular-

ly the covert side of Marxism-Leninism, the principles of organization of control and of subversion.

Senator HELMS. Well, I think it is obvious to everybody that the Soviets do not give a fig for world opinion, because they do not have to worry about it.

Otherwise there would not have been any Angola, and there would not have been any Afghanistan, and all the rest of it. And they just forget it. They get bad publicity in the West and it does not bother them a bit.

One final question, and I would ask, well, Mr. Harris, maybe you ought to take this one. Can you describe the Soviet data falsification in the MBFR negotiations and how it was verified to be, in fact, disinformation?

Mr. HARRIS. The basic story has been declassified, so I can summarize it.

And that is that the Soviet Union sought to gain a substantial advantage after a 50-percent cut by allocating with its Warsaw Pact treaty partners data base falsifications which were accomplished through misclassifying troops, keeping certain classes of troops out of the data base altogether, in both 1987 and in 1981.

The result being that had we had the reductions, the Soviets and Warsaw Treaty states would have had seven men under arms for every five that NATO would have. But the reason we were able to verify that at the time (and in fact it stopped an MBFR agreement, or may have been one of several reasons) is that there were many parties to that database.

So, we have a much harder time with the bilateral data base, regarding which we have to target the Soviet Union, not INF the whole Warsaw Pact.

Senator HELMS. Mr. Chairman, my time is up. But I thank you very much for your courtesy.

Is it presumed that we may file questions of these gentlemen in writing?

The CHAIRMAN. Without objection, certainly, and hopefully they would be answered within a week.

Senator HELMS. Thank you very much, gentlemen. I have another appointment I have to go to. But you have been very helpful, certainly to this Senator. Thank you very much.

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. Let me ask each of you this question first. Have the Soviets shown great interest in foreign opinion?

For example, they have done a lot to try to stimulate the peace movement in Europe. And in regard to opinion in America, the Soviets made a great effort to circulate Gorbachev's book in this country at the time of his arrival and just before.

Gorbachev, by his behavior, stepping out of the car and shaking hands and so forth here in Washington, showed considerable interest in U.S. public opinion. Would any of you agree that the Soviets are concerned about public opinion elsewhere?

Mr. DOUGLASS. If I might make a comment. I think both things operate simultaneously.

I think a great example, say of their concern, was the focus on Poland and the crisis in Poland. And I think that that was one of

the things that probably caused them not to go in, but rather to handle the problem from other ways.

On the other hand, they are extremely concerned since disinformation propaganda is essential to their mode of operation. And hence rather than be so much concerned about it, their focus is on how do you manipulate it, how do you control it, how do you mold it?

And they have a massive effort to do that, as reported by the CIA, over \$3 billion a year to do that.

Senator CRANSTON. Well, we have our public relations experts and pollsters and so forth that are designed to have some impact on public opinion elsewhere.

I take it that none of you disagree with my statement that they are interested in opinion elsewhere, world opinion.

Mr. COLBY. I think they are interested, yes, Senator. But also I think Senator Helms' point is, are they deterred by negative public opinion, and I think that almost any nation is not going to be totally dictated by the public opinion of another nation.

Senator CRANSTON. Well, certainly we are not.

Mr. COLBY. We are not, and they are not.

Mr. DOUGLASS. Another point on that too. Quite often when we think of something like that, the hardest thing is to put yourself in the Soviets' shoes, because you really cannot.

And there are some ways in which they really do not care about public opinion. As a matter of fact, if the public opinion or the world opinion saw them as big, bad, and terrible, that then in a sense operates to their advantage, because that means people are scared of them. So, we have to bring that into account also.

Dr. DRELL. It seems clear that something has changed. How long it will last and what is the motivation, I do not know.

But if it is an opportunity it is an opportunity for us to seek progress during this period of change that is in our national interest. And we should exploit it in our national interests.

Mr. HARRIS. I would like to propose that arms control noncompliance in areas that are not of vital national security interest may be, in fact, affected by public opinion.

I know of at least three instances in which noncompliance ceased after there was adverse public opinion. The first was the nuclear testing in 1961-62. It gave the Soviets an adverse reputation, and they did agree to the Limited Test Ban Treaty in 1963.

The second involved the use of lethal chemicals in Laos, Kampuchea, and possibly Afghanistan, which brought many countries into verifying the activity. The countries had difficulties, they were concerned, there was a wide sharing of data throughout the Western world. And in March 1983, General Secretary Andropov caused a cessation of use.

The third example is the Helsinki final act. The Soviets did not report accurately in 1981, or to a lesser extent 1983. This was taken up by all the members of the CSCE, a forum of, I think, 40 nations. And it caused a lot of concern that the Soviets were not reliable. And since 1984 they have been following the notification provisions.

So, this does not suggest that public opinion will cause a cessation of a vital military activity. But it does play a role.

Senator CRANSTON. I would like to note that in your prepared statement, Mr. Harris, at page 3 and 4, you give seven examples of where the Soviets paid some price for deviating from what was expected of them in compliance with various agreements.

And you summed up afterward by saying, "These examples illustrate the proposition that the United States and its allies have begun to raise the long-term costs of arms control treaty noncompliance. We have not done enough. But we are still adapting the past and ongoing treaty violations and evasions as we must necessarily do. So, it is not unreasonable to anticipate that after detection of a material breach there will be proportionate and effective policy responses."

Mr. Douglass, in your testimony, you refer to at the outset, in your prepared statement, to the comments made by various former Communist officials. I presume you mean people who have defected.

Roughly, what were the dates when those people left the Soviet Union, generally, and the time when you talked to them?

Mr. DOUGLASS. I talked to them roughly a year and a half ago. And I have talked to some since.

The dates on when they left were varied. The most recent was 1983. The one before that was 1981. One was 1968, one was 1970, one was 1961, one was, I think, 1974. Off the top of my head, those are sort of the rough dates.

It is a scattering, and it was a case of really those were the only people who were available, within the time available, to do the study.

Senator CRANSTON. So, their judgments of what Soviet policies are really predate the Gorbachev era, with whatever questions we may have about how significant the changes are that he is bringing about.

And you do state that in your view the system does not appear to be changing, but your data does come from people who left before Gorbachev arrived.

Mr. DOUGLASS. This is true. I might point out there that in looking at continuity that the arms control process, when it was initially set up, according to people in the early 1960's, was under the control and direction of the Administrative Organs Department.

And the head of that department who ran it as the deputy and the deputy secretary general, that person initially was Mironov Savinkin, who was replaced by his deputy Savinkin, after his death in an airplane crash.

Savinkin, I believe, the last time I looked, was still the head of the Administrative Organs Department. So that while you do have the leadership changing, you have a tremendous degree of continuity within the operational level.

Senator CRANSTON. Is he the critical individual you referred to at page 11 of your testimony?

You state that the critical individual who is present at the creation of Soviet arms control strategy and was responsible for running the Soviet arms control strategy in the mid-1960's is to still be the man in charge.

Mr. DOUGLASS. Yes.

Senator CRANSTON. Who is that?

Mr. DOUGLASS. Savinkin.

Senator CRANSTON. Furthermore, in your testimony, you say that these individuals with whom you conducted interviews did not believe the Soviets would sign any treaty that would not operate to both their political and military advantage.

Mr. Colby stated that we would not do so. And certainly we would not. We would not sign a treaty that was not in our interests. And so I do not see that that is the basis of any negative judgment about the behavior of the Soviet Union. We would certainly do the same thing.

The other four witnesses now before us have all indicated that they think the treaty should be ratified. I have been unable to figure out how you feel on that subject. Do you think we should or should not recommend its ratification?

Mr. DOUGLASS. I am concerned, as I indicated before, really about the strategic follow-on to the treaty, and the precedence that this will set for that treaty.

Consequently, given the degree of verification, which I do not have much faith in, I think the treaty is fundamentally wrong. I appreciate the desire to bring those weapons under control. But I have great reservations whether this does it or not; and, in addition, whether it will set bad precedents for the START agreement.

Senator CRANSTON. Well, the START Treaty is really a separate treaty from that. And it has to be judged on its own terms, and as regards to its verification and what it does or does not do for our national security and so forth.

But I gather that you are saying that no treaty can be verified. You raise questions really about this one. There you differ with some experts, with present official responsibilities in this field.

I have asked the Director of the CIA, Mr. Webster, Judge Webster, Lt. Gen. Leonard Perroots, Director of the Defense Intelligence Agency, and Lt. Gen. William Odom, Director of the National Security Agency, basically this question.

Do you believe you can give the policymakers adequate intelligence information to enable the policymakers to decide whether there has been a violation that would endanger our country? And all three said, "We believe we could make that information available to our policymakers." And so I would certainly take their judgment on this.

So, in effect, you would seem to be saying that there is nothing we can do to halt this arms race. We cannot have any agreement that we can respect, and therefore we have to have an allout, incredibly expensive, ever more dangerous arms race.

The world has added 50,000 new nuclear weapons since 1945. We are less secure now than we were then, in many respects. And I wonder if you think that President Reagan and Caspar Weinberger and George Shultz have compromised our position by supporting INF, looking to a START Treaty in the future?

Have they been totally taken in by the Soviet Union? Or do they not know what they are doing, or what?

Mr. DOUGLASS. Well, I think most of those questions you would have to put to them.

Senator CRANSTON. What is your judgment? You are the witness here.

Mr. DOUGLASS. The question of a treaty is not, by my way of thinking, directly associated with an arms race.

I certainly do not advocate a great buildup in nuclear weapons on our side or on their side. Indeed, I think in many regards our capability could be strengthened if we went to defensive capabilities rather than offensive capabilities, which I think would turn down in a realistic long-term sense the prospects for conflict.

What bothers me is, just looking at the basis of the treaty, the primary weapon that we seek to control is an SS-20. And I see tremendous uncertainties in terms of the numbers.

I have looked at the data, a great deal of the data. And I cannot figure out how many weapons the Soviets have or who you would believe. I think one of the real problems we have is that while the national technical means are tremendous, their effectiveness depends upon how well we are able to control the knowledge of what those systems do.

And when the other side knows how those systems operate and have been able to gain intelligence on those systems, then the value of those systems decreases tremendously, because the Soviets then know how to evade them.

When you see the Soviets building individual sheds, which we then look at and count and use that as a basis for determining how many missiles they have, to my way of thinking you would have to ask what we really know. And my concern is we do not know very much.

Senator CRANSTON. Well, all I can say to that is that the people responsible for our prime intelligence agencies, the people responsible for our military, the people responsible for our foreign policy and the Commander in Chief all believe that, while we will not know precisely how many SS-20's the Soviets have, that that does not pose a significant threat to our security.

And that if they have squirreled away, or do squirrel away, some SS-20's, that that will be a declining asset, because they cannot test them, they cannot train for their use, and so forth and so on. My time is up. Thank you.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

You know, I listened with interest, and although I have not been here for the opening remarks, the problem that I am having is one that I am sure my colleagues would share, and that is how to assimilate the professional opinions on the issues before us, verification and so forth, in a meaningful manner. It is almost like trying to maintain a scoresheet, and I have got a few questions for you gentlemen, but I would like you to share my frustration.

I come from a business background. I understand a spreadsheet. I look at an issue on the pros and cons, and the recommendations are based on the pros and cons.

But Mr. Chairman, in all due respect, I serve on both the Intelligence Committee, trying to follow those activities on the INF, and I share that with my colleague Senator Cranston. We have a meeting down there currently on the same subject. Trying to come up here and maintain a posture of objectivity and knowledge on the testimony of the expert witnesses as we progress, we really need to know about the particular topic, whether it is verification in a

narrow sense or the issue of the inconsistencies in the SS-20, which have been discussed without exception by virtually all the witnesses. What the high range and what the low range is, and then the capability for verification based on the knowledge that we have of substantial inconsistency. It puts almost an impossible burden of maintaining some judgment process as we go along, coupled with the reality that, you know, everybody wants to ease world tension. We are all aware of the sensitivity of these hearings and the timeliness of them in view of the recent summit.

But I think that there are so many points that have not really been brought out to the American people, for example, the realization that comes as no shock to anyone here that, you know, we are really reducing the number of missiles in the sense of the carriers as opposed to reducing the munitions grade plutonium that is going to be left over. We have not addressed that. That can be utilized on another carrier, another missile.

So, in the euphoria, it is hard to keep a scoresheet. And now that I have vented my frustration in that regard, I guess we have no other alternative but to proceed and rely on our staff for summaries as we proceed with this process.

Specifically, the issue of the Krasnoyarsk—I should be able to pronounce these things, but obviously my Irish background does not give me quite the pronunciation ability—but anyway, the radar that we all know about that I believe you have addressed as a violation of Article 6 of the ABM Treaty, and being that as a given, do you feel that the Senate should condition its advice and consent on ratification of the INF treaty to a resolution of the radar problem, since it is pretty well agreed it is a violation? Do you think it is significant enough that we should condition that in the treaty or just ignore it and say, "Well, it is a given, that it is something that is a violation, but we do not want to upset the treaty or we do not want to go back and renegotiate it."

Mr. COLBY. I do not believe you should—excuse me.

Senator MURKOWSKI. Go ahead, start with Mr. Colby.

Mr. COLBY. I do not believe you should condition the ratification on that fact. I think we should continue to press for a resolution of that problem.

Senator MURKOWSKI. What is the leverage we would have?

Mr. COLBY. The continuing adherence to the ABM Treaty, that is the ultimate resolution of it.

Senator MURKOWSKI. You do not think that the INF itself is enough? You think we would risk derailing INF if we pressed for a condition?

Mr. COLBY. I think that the benefits to INF are very substantial for us.

Senator MURKOWSKI. I agree.

Mr. COLBY. As well as for the Soviets, and that we should not derail that or potentially derail that over an argument over a clear violation of the ABM Treaty which does not provide any military threat to the United States in any foreseeable future time within the next 10 to 20 years, could not be a threat to the United States.

We should continue to work on it, and if necessary, take strong measures if it develops into a real threat.

Senator MURKOWSKI. Well, it certainly sets a doubt as to the reliability.

Mr. COLBY. Well, if I may, sir, I submit that this gets to your difficult problem of trying to make a judgment here, and I submit that the answer is that you have got to determine what question you want answered. Do you want the question answered whether the Soviets comply with every single provision of a treaty, or do you want the question answered whether the interests of the United States security will be better served by making this treaty and abiding by it ourselves, at the risk of some marginal violation by the Soviets.

Now, those are two different measurements.

Senator MURKOWSKI. That is very true.

Thank you, Mr. Colby.

Mr. Graybeal.

Mr. GRAYBEAL. I am always a little nervous about this question of linkage, because linkage can serve in the U.S. benefit at certain times and to our detriment in others. Having been involved in the discussion of many compliance issues during my tenure as the first SCC commissioner, there is always a temptation to link one compliance issue with another one.

I think every compliance issue should be addressed on its own merits in terms of whether it really is a violation, the military significance of that violation, the effort should be made to clarify, rectify that, or remove it, based on the pressures for that specific case. Linking it to another area could work at your disadvantage. The Soviets can also apply linkage.

I think compliance questions have to be dealt with individually and on their own merit. I am very reluctant to see these linked to an agreement, and I would be particularly reluctant to see something like the Krasnoyarsk radar in one treaty linked to the ratification of another.

Your fundamental issue, though, I think is valid; namely, the extent to which the Soviets are complying or not complying with agreements should have a bearing upon the effectiveness of our verification for the INF treaty. I think the Soviet compliance record, if you look at it in toto, is reasonably good. I think there are a few areas where there is concern.

I do not think the verification provisions of the INF treaty jeopardize U.S. security. They are, in my view, far more than is required to assure adequate verification in a militarily significant context, the precise context that was slated by Harold Brown in the Carter and by Paul Nitze in his Press Club here in December. He set forth the same military criteria.

Senator MURKOWSKI. Well, I appreciate that, Mr. Graybeal, but I am wondering, since you commented on linkage and the fact that if we make a linkage on the Krasnoyarsk radar, why, they are apt to come back with a linkage that would cite an inconsistency on our behalf.

Is there anything quite as visible that we have hanging out as an exposure as compared to the radar which has been an issue and been discussed, and the Soviets seem to ignore our concern and simply say "No, it is not in violation, and it is just your interpretation."

I am wondering if in your view we have any laundry hanging out quite as prominent as that radar.

Mr. GRAYBEAL. I do not believe the United States has any laundry hanging out that is as clear cut a violation of the ABM Treaty as that particular item. I do think there have been ambiguities in certain U.S. actions which do need to be clarified and have been clarified by the United States throughout.

The linkage I was referring to, for one example, in the SCC in 1975, we raised the additional silo construction. The Soviets came back and linked immediately to the covers over our Minuteman silos. Now you get into a question of those are two separate items; they should not be linked. You should deal with them individually. And that was my point in pointing out the dangers of linkage.

Senator MURKOWSKI. Dr. Drell.

Dr. DRELL. Underlying my answer is the same judgment that Ambassador Graybeal gave you; namely, if one makes a net assessment of Soviet compliance, I think the pattern is overall a satisfactory one to proceed with negotiations that we determine are in our own national interest. So, I would not use Krasnoyarsk as linkage.

I would also point out that one of the values of the INF Treaty that I see is that this very comprehensive, intrusive extension of our means of verification with cooperative measures will, I believe in the future, give us better ways of guarding against such events. So, I value the treaty. I do not—I remarked to an earlier question—I see a military threat to us posed by the Krasnoyarsk radar, and therefore I would oppose linkage.

I would also say that it may be that we are seeing an effort of the Soviet Union to work its way out of what it now admits is a violation. The Soviet Union no longer, at least when scientists talk to scientists, say that there was some other reason for building it. They have come clean on that. It is a violation, and they say it, and it seems to me that they are struggling somewhat to resolve it—they are not completing its construction, apparently. They have called visitors. Maybe as we progress along, we will see them ease their way out.

So, as Mr. Colby said, keep the pressure on. It is unacceptable, the violation, but I would not link.

Senator MURKOWSKI. Mr. Chairman, I wonder if you would allow the last two witnesses to comment on the question, Mr. Douglass and Mr. Harris.

The CHAIRMAN. Certainly.

Senator MURKOWSKI. Thank you.

Mr. DOUGLASS. I think you have really raised a very good question. In my mind, arms control is a very, you know, a tremendously good cause and something to really work at. It is worth working at. And I think that we need to make the agreements work.

I question whether it makes sense to go forward when the current agreements are unsatisfied or unsatisfactory. That bothers me more than anything else in terms of the INF agreement. We have had a number of reports that have been conducted by all the intelligence agencies in town over the last 5 years that have pointed to a number of serious violations, and it seems to me that the key is to look at those and say "OK, now, are these treaties working or not?"

As Mr. Graybeal has mentioned, I believe we have to resolve that problem, decide whether they are trivial or whether they are important, whether they are significant. I do not believe, however, they should not be linked, because if you are going to go forward, I think you have got to make what you have work, and I think that is absolutely essential to make the INF treaty work because you are dealing with an adversary that makes it that way.

Senator MURKOWSKI. Mr. Harris.

Mr. HARRIS. Yes. When I considered this issue, I asked myself two questions: First, are the treaty limits functionally related to the risks engendered by a violation, by a violation or a pattern of violations? Second, do the proposed treaty limits impair or prohibit proportional responses in good faith?

When I apply those two questions to the INF Treaty, I conclude that the INF Treaty is not functionally related to, for example, the growing ABM capabilities or the potential for them in the Soviet Union, or the Biological Weapons Convention violations, et cetera. When I run through this list—and I follow all these treaties and the state of compliance with them as best I can—I do not find that there are functionally related impacts from the INF Treaty, and the INF Treaty does not impair almost all of our responses, though it may—it does have some possible limitation on responses to chemical and biological weapons capabilities if we are limiting some weapons in Europe.

But when I asked those two questions, I would say the INF Treaty should not be linked to these other violations, and I might not answer that question the same way with the START Treaty. At least certain characteristics of options being considered in the START treaty now might in fact directly link to ABM Treaty risks.

Senator MURKOWSKI. Well, it would appear, Mr. Chairman, that the INF Treaty does not have any gray areas, so to speak. They either have the missiles or they do not. I mean, it is a situation where they are going to cheat or we are going to be satisfied that they are not, or it is going to be exposed that they are, and I appreciate the opportunity to address that because I think it is significant that we are recognizing that there is a violation certainly currently as we embark on a new treaty, and the question is, Are we more likely to gain our objective by allowing them a way out, and it has been suggested by the panel that that is perhaps occurring at this time as a consequence of what is happening over there with the Krasnoyarsk radar?

So, I thank the chairman. My time has expired.

The CHAIRMAN. Thank you, Senator Murkowski.

Senator Cranston.

Senator CRANSTON. Thank you.

Mr. Douglass, when Senator Helms was questioning you, I could not help but note with a bit of curiosity his statement "We have never met before, have we," and, "We never talked before, have we," and I could not help but wonder if that was because you were a member of something called a red team. I presume that was not the reason.

But I think it might be helpful if you explained for the record what a red team is.

Mr. DOUGLASS. A red team generally tends to mean a group of people who have been brought together to look at something as though they were the opposition, try to put themselves in their shoes and make decisions in that way. Strictly speaking, my assumption was that Mr. Helms was referring to this group that I was on, which was referred to as a red team.

Senator CRANSTON. Yes.

Mr. DOUGLASS. I would not myself, you know, really characterize it as a red team because it really did not approach it from the standpoint of really thinking hard and trying to act as though you were the opposition.

Senator CRANSTON. That is what you did, was it not? You tried to assume how the opposition would look at this and what they would do to get through it or around it or frustrate it.

Mr. DOUGLASS. That is true, but that is a little bit different from bringing together a group of people and saying, "OK, now, here are the terms; let's devise a plan." We sort of looked at little pieces here and there and asked how could they do it.

It was not the case of putting ourselves in the position, say, of the general staff and say "OK, we have got this treaty, what are we going to do?" That would be more the approach, I would say, of a red team.

Senator CRANSTON. Mr. Graybeal, would you describe how we counter and try to imagine what the red team might do and go through that process and prepare to respond to, anticipate and refute and block what they might seek to do?

Mr. GRAYBEAL. This particular red team that Mr. Douglass referred to was done on a rather rapid basis on an early version of the INF Treaty, and he is correct, we did not try to be role players in the sense of a minister of defense or minister of foreign affairs. Rather, we took the treaty and we dissected it article by article in terms of how it might be misinterpreted, misused, how the Soviets might get around it, circumvent it, or change the provisions. Then we also looked in detail at the intelligence data base as to precisely the uncertainties that we would encounter if we went through an agreed number. And if your uncertainty in the data base is off by 500, you do not need a verification system that assures you catch every single missile.

So, this was a red team in terms of analyzing that agreement, done for Ken Adelman, who was very pleased with it, and it did result in changes in the agreement. And I think it was a useful exercise, but it is not a red team from a role playing concept that Mr. Douglass mentioned.

Senator CRANSTON. I understand that, yes.

Mr. Colby, I would like to ask if you agree with the statement that was made that START will not require anytime, anywhere challenge inspections as Mr. Graybeal said, or do you agree with Sid Drell who said that maybe it would require anytime, anywhere challenge inspections?

Mr. COLBY. I do not think it necessarily would require an anytime, anywhere. I do not think it would require exposure of the innermost secrets of the joint general staff's planning chamber for SIOP, so that in that sense, anywhere, certainly not. I do not believe that would be necessary for a START.

I go back to the fact that particularly with strategic weapons, they are big enough, their support structures are big enough that they are going to be fairly visible to our national technical means. We are going to want to supplement those by some degree of inspection. We might have a challenge inspection based on some prima facie case, that sort of thing, but that is not an anywhere, anytime.

Senator CRANSTON. Dr. Drell.

Dr. DRELL. What I intended to say, I hoped I had said, but I will say again to be clear, was not that there would be anytime, anyplace inspection. I said that the words in the summit communique said short-notice, onsite inspection, in accordance with agreed upon procedures, and I felt that those would have to be worked out in accord with something that Mr. Colby said in his opening statement; namely, that one would have to have a basis for making the challenge. In other words, there cannot be a fishing expedition for intelligence information. You have to have a basis for a challenge, and in that case one would have to work out some procedures at START which we do not require for the INF agreement.

Mr. GRAYBEAL. Could I comment a bit on that, sir?

Senator CRANSTON. Certainly.

Mr. GRAYBEAL. Two points. One is that I do agree there should be agreed procedures. There are rules of reason. I mean, you do not put a Cruise missile on the 15th floor of a building which has no elevator to get up, so there is no reason to go into that area. So, there are rules of reason that can be applied.

I do get nervous, though, when you say that one side must provide the base for a challenge, because now you are beginning to get into sources and methods of intelligence, and there are certain risks if you have to come forth and present your intelligence base for why you want to go look in that particular facility. So that is a separate consideration. I do not think it will drive it, but I think it must be kept in mind when you talk about "these agreed procedures" and providing evidential base as to why I want to go to this facility or that one.

Senator CRANSTON. Mr. Douglass, do you object to the fact that under this treaty we cannot go where we want to go but can only go to agreed places?

Mr. DOUGLASS. Yes. That is unrealistic. I recognize that. But when you have reports or where it is reported in the media that SS-20's are, for example, stored in other locations, it seems to me that you should be able to check that out.

Senator CRANSTON. Would you welcome the reverse, which of course would be the consequence, that if we can go where we want in the Soviet Union, then they can go where they want in our country?

Mr. DOUGLASS. If it was a mirror-image situation, I suspect that I would see no reason to have any great problem with that. That would mean, of course, if they want to go to one's sensitive facility that, you know, we would be able to do the same thing, and with equal ease on the other side.

Senator CRANSTON. Our military leaders have testified that they would object, that they do not want that.

Mr. COLBY. I would like to amend my response just slightly in response to Mr. Graybeal. I do not say that necessarily you would have to have an evidential base for your demand for an inspection, but you would have to have a *prima facie* rationale. In other words, there would have to be some kind of *prima facie* case which need not reveal the sources and methods.

Senator CRANSTON. Mr. Graybeal, you suggested that we wait on START until we learn from our experience in monitoring INF before we proceed with the START treaty.

First, are the regimes not going to be so different if we negotiate the START agreement based on INF that we would not necessarily learn that much from the INF experience about what we would need in START? And second, would that not entail a very long delay if we wait until INF is ratified and fully enacted and until we have experienced the INF compliance monitoring regime?

Mr. GRAYBEAL. The focus of my remarks, sir, were on the verification aspects of the START agreement. The basic principles of a START regime have already been agreed to at the summit, the numbers and so forth. My remarks were based on the verification.

The verification regime for START will be more complex than that for the INF because of this fundamental principle; you are not going to zero, you are going to have numbers remaining; therefore you will have counting, you will not remove the infrastructure.

When I look at the INF Treaty and the complications of the extensive notifications that are required in that treaty, even under limited circumstances of getting rid of everything, you have notifications, you have an onsite inspection agency that is going to have both red and blue teams for the United States. There are major problems in terms of the implementation of INF.

We are learning a lot from our contractors about their concerns about having Soviets come in, even escorted.

So, my point is that this treaty can be ratified, it can start to be implemented. The SALT train, though, is moving in parallel, and the SALT train is already designing, in my understanding, verification annexes and provisions, and my concern is that we can make major mistakes in designing those and in the manner in which they may have to be implemented without learning the lessons from the INF.

Your last point, would it delay? Yes, sir. I think if there is a summit planned in the spring, May or June time period, I think it would be difficult to get a comprehensive, detailed and authoritative verification regime for START in that short time period. It does not mean that we cannot come up with one, but I think we will be a little nervous as to the adequacy and to what degree we have actually gone through and done the rigorous analysis, particularly of questions you have asked about these challenge inspections.

That has to be worked out in more detail, too, sir.

So, I can see a summit which would have a result kind of like the Vladivostok agreement on principles in 1974, but with the START verification details to be worked out later, which in my view would take some additional time.

Senator CRANSTON. That is a little bit different from saying we have to finish INF and have some experiences with INF before we

go on to START. You are now talking just about not working to deadlines and needing more time to work these things out.

Mr. GRAYBEAL. No, sir. We are learning lessons right now about the INF implementation, just as we are working out the procedures to be employed. I want to capitalize on all those lessons and incorporate them into the START agreement.

Senator CRANSTON. By when would we learn enough from what we are doing in INF to apply those lessons to START?

Mr. GRAYBEAL. We are learning every day, sir, but acquiring information on the full scope of those lessons is going to take some time. We need to see the actual implementation of the inspections and learn what is involved. I think that we are talking about 6 months before you will have the full information as to what is required for implementing the extensive START verification regime.

Senator CRANSTON. You are not talking years.

Mr. GRAYBEAL. No, sir.

Senator CRANSTON. May I ask another question?

I would like to ask this of anyone who would like to respond.

Do you believe that we need to augment our verification capacities in order to be comfortable with our capacity to know adequately what is going on under a START agreement?

I and others on the Intelligence Committee have come to the conclusion that we do need to improve our verification capacity, and one of our present problems is that it is unclear how the Reagan administration feels about this.

We have suggested certain things that they have not yet agreed to do. We feel that if we are going to proceed with START, we need to augment those capacities, and do you concur, or do you have any comments on that?

Mr. GRAYBEAL. I concur 100 percent. I strongly urge the Senate Intelligence Committee to push hard on that. I think it is in the interest not only of our national security, but it is essential for the future of arms control where the foundation of verification will be the national technical means. We are going to have difficulty relying on all these cooperative measures and onsite inspection for all the problems associated with verifying future agreements, many of which have been alluded to here today.

So, if you apply the militarily significant criteria, the key basis for monitoring future agreements is going to be our national technical means, and I think that definitely should get support of the Senate, these means should be enhanced.

Dr. DRELL. I would second that.

Mr. HARRIS. Senator, I spent 9 years as a consultant to the Senate Intelligence Committee. I used to help do the budget for the committee. And I believe there are two areas which I can speak about publicly where it would be important to augment verification capabilities. One is to improve survey capabilities so that we do not have, for example, more than a 2-year gap between the start of the construction of the Krasnoyarsk radar and its discovery.

The reason for that is both that it helps to verify, and it increases the chances of reversing noncompliance at an earlier phase.

The second is to continue with what the community has been doing to encourage means of unexpected collection that offset deliberate concealment measures, and that there are systems which are

more useful than other systems that can counter deliberate concealment measures, and those are especially helpful in verifying mobile missile systems.

Senator CRANSTON. I would particularly like to have your comments, Mr. Colby, because of your past experience as head of the CIA.

Mr. COLBY. I have the experience, but at the moment I have not any clearances, Senator, so I cannot tell you what the present status is of some of these systems.

I do fundamentally believe, however, that technology improves every day and that we should take every possible advantage of it. We need to be able to see things that we cannot see now. We need to be able to hear things that we cannot hear now. This is a high priority in our national interest to know what is going on in those areas.

Senator CRANSTON. Thank you all.

Sid.

Dr. DRELL. I think we are unanimous on this point. I think that dollars spent for advancing intelligence technology are among the best spent dollars in the Defense budget. I am sorry to see it so often fall off the end. Technology is advancing rapidly, and we should be at the cutting edge with our national technical means. The need for them will be enhanced as they are tasked to work hand in hand with cooperative onsite inspection methods, not decreased.

Senator CRANSTON. Thank you very much.

The CHAIRMAN. Thank you very much.

Senator Pressler.

Senator PRESSLER. Thank you very much.

I apologize for my absence. I serve on five committees, and I have been trying to keep my attendance up and my amendments going in other committees this afternoon.

Mr. Douglass—and if you have covered this, then, please tell me. Staff indicates it has not been covered—is there any evidence that the Soviet leaders already have a cheating plan for the INF Treaty?

Mr. DOUGLASS. I have not the slightest idea.

Senator PRESSLER. Do any of you have any idea on that issue?

[No response.]

Senator PRESSLER. I guess I would address this one to Mr. Harris.

How likely is it that the Soviets have provided false INF data and missile photographs?

Mr. HARRIS. As I testified before you arrived, since in an open society there are often press leaks about the range of intelligence uncertainties before the Soviets have to declare their data base, it is just not possible to verify with high confidence the initial data base. But there may be elements of the data base that can be verified. There are elements that cannot.

My judgment is that we will not know for a number of years whether this data base was accurate or not, but it is very helpful to have a data base because it gives you a hypothesis to verify.

Senator PRESSLER. All right.

Now, when former Secretary Weinberger appeared here, he noted the Soviet history of cheating on arms control agreements.

Specifically, he said, "They have cheated in the past. I think we can expect they will cheat in the future whenever they decide it is in their national interest to do so."

I would like to ask any of you, in your judgment, how likely is it that the Soviets will cheat on the INF Treaty?

Mr. COLBY. Based upon prior experience, Senator, I believe the Soviets have essentially complied with treaties which are precisely drawn. If a treaty is what I call the sweetness-and-light kind of treaty, then I do not think they have particularly complied. You go all the way back to Yalta on that. But if a treaty has been precisely drawn, then I think the experience is that they have essentially complied with the major elements of that, and that is what the Arms Control and Disarmament Agency concluded last year, that many if not most of the provisions are being complied with, and I think that is the history. Violations have been around the edges.

Senator PRESSLER. So, then you would be in disagreement—I believe the administration made a finding that the ABM Treaty was—that there was a violation of the ABM Treaty.

Mr. COLBY. I think there have been violations, but as I say, they are around the edges.

Senator PRESSLER. All right.

Mr. HARRIS. Senator, may I comment on that?

Senator PRESSLER. Yes.

Mr. HARRIS. I believe that one of the best crafted treaties, in my judgment, as an international lawyer, is the biological weapons convention. It is short, simple, and it prohibits virtually every phase of biological weapons activity, and I regret to say that the Soviet Union has violated every operational limit in that treaty.

So, I believe it was through 1983 that intelligence reported that the Soviets only nibbled around the edges and did not go to the core of these treaties. But when we looked at all of their treaties in force, we found that was not true. I did that for an interagency group and I did it for a Presidential commission in 1982 to 1984.

So, I believe the Secretary has an important point. The question is how do we strengthen incentives so they will comply with arms control agreements. But they have gone to the core and violated treaties.

Dr. DRELL. May I comment?

Senator PRESSLER. Yes.

Dr. DRELL. I have just two comments.

One is that that is a treaty which had no means of verification, and I think it is no way to write a treaty where our basic national security is involved. But I agree completely with what Mr. Colby said, that if you look in detail at the 20 treaties we have signed, if you make a net assessment, the record of compliance is indeed a satisfactory one to proceed with further discussions.

But I think we should carefully draft our treaties so that we can be confident that if there is an issue of uncertainty or question, at least we assure that our national security is not impaired.

Mr. GRAYBEAL. I would like to add two points.

One, I think history has shown us that the Soviets will press up to the limits of the agreement. They live with precisely what is negotiated. So do we. We do not put anything in the agreement that we can't live with. There is no such thing as the spirit of the agree-

ment in the Soviet Union. It is the provision of the agreement that counts.

On the INF Treaty, I do not see that the Soviets have any incentive to cheat on that treaty since they can accomplish their military objectives with other systems. They can retarget all of Europe with SS-19's or SS-24's. I cannot find the incentive to cheat, I cannot find the military significance of keeping 20 or 40 or 50 SS-20's around. That applies to the INF Treaty. It may not apply, and probably would not apply, to a militarily significant agreement such as START. Therefore, you may require much more rigorous verification based on national technical means and cooperative measures in the START agreement than you do in the INF Treaty.

Senator PRESSLER. Now, the joint statement issued at December's summit meeting outlining the terms of a potential START treaty includes a requirement for short notice inspections at locations where either side considers covert deployment, production, storage or repair of strategic offensive arms could be occurring.

Now, as I understand it, under the INF agreement, we do not have broad challenge inspections of any suspect sites, but there are off-limits areas.

Is there any reason why broad challenge inspections of any suspect site should be included in a START agreement but not the INF agreement?

Dr. DRELL. You are looking at me. I will answer it. We touched it before, but the fact is that you are not removing an infrastructure for systems at START because you are just putting quantitative limits on systems. The total infrastructure has been removed in the INF agreement, and it was judged on that difference that the short-notice, onsite inspections were not needed because once the infrastructure is totally removed, you can ask what might be the value or the purpose in cheating in retaining a few missiles that you cannot test, that you cannot exercise, that you cannot declare and therefore are of wasting military and of no deterrent value.

Mr. HARRIS. If I could give you an alternate response on whether the Soviets might have an incentive to cheat under the INF treaty, I have indicated that I cannot tell from looking at the record of compliance whether the Gorbachev regime is going to behave better. There are signs they may be. But in the event that they do not under Gorbachev or his successors, there is one pathway which looks attractive to cheat on the INF treaty, and that is to take steps which would facilitate cheating or evasion under a START treaty, and to listen.

We had one example of that under the SALT I protocol in 1976-1977 where the Soviet Union purposely kept illegal numbers of launchers of older missiles, SS-7's and SS-8's, purposely kept them and discussed it in the SCC with us and obtained feedback before they retained older missiles that were removed from ICBM silos. They actually stopped the noncompliance when SALT I ended on October 3, 1977.

So, they can use intentional noncompliance in what may be militarily insignificant by itself to gain an assessment, and that could happen under the INF treaty.

I do not claim it will, but I cannot say it will not.

Senator PRESSLER. Now, does anybody else want to comment on that?

Mr. DOUGLASS. Yes, I would like to comment on your question as to whether you want the basic challenge inspections in both ways.

It seems to me that one way you can look at that is the question of should we look at the SS-20 as though it were a strategic system, and if we did, would we be answering many of these questions in a different way?

Now, of course, one of the things that people have said in conditioning their answers throughout this afternoon is that the SS-20 is really not a threat to the United States, it is not a strategic system. Whether they violate it or not will not do much to our security.

That conditions many of the answers, and I am sure that if a European were sitting here he might have a very different view of what challenge type of inspections were or were not required, as we might if we, rather than think of it as an SS-20, thought of it as an SS-16 or as an SS-24 or -25.

Senator PRESSLER. Let me ask this of Mr. Harris.

Is there any evidence of Soviet negotiating deception in SALT I and SALT II negotiations?

Mr. HARRIS. That is a big question with a short answer. Yes, there is. There are often incentives to protect vital defense programs in treaties, and the Soviets are particularly good at it.

One of their favorite techniques is to say there is an agreement in principle so as to avoid a specific limitation such as a limit on light versus heavy ICBM's in SALT I. This led to an increase in the throwweight of the SS-19 compared to the SS-11 by a factor of four and put our land-based missiles at greater risk. They have done that in the past, and we should assume they will do it in the future.

Senator PRESSLER. Let me, Mr. Chairman, if I may, ask one more question.

As I understand it—and if this has been covered, I will read it in the record, so stop me if I am asking something you just covered before I came over. As I said, I have about four places to be today—in fact, I am leaving here to go to a classified briefing on Vietnam where I am going soon. I know Ambassador Colby served there at the same time I was there. I was only a second lieutenant though, so we did not know each other.

You probably never met a second lieutenant

Mr. COLBY. I met lots of second lieutenants.

Senator PRESSLER. Nothing below a three star general, probably.

But in any event, former Assistant Defense Secretary Richard Perle stated on Tuesday when he appeared, that the Soviets have begun to destroy some of the missiles and other weapons. The New York Times published a Soviet claim to the same effect yesterday. Mr. Perle has expressed concerns about whether the treaty provides that the United States will be able to inspect such facilities that the Soviets claim to have eliminated during the interim period, before the treaty actually enters into force.

What inspection rights should the United States have with respect to missiles, missile facilities and so forth that the Soviets claim to have eliminated prior to the treaty entering into force?

Mr. Perle suggested, for instance, that on a voluntary basis the Soviets should allow the elimination and inspection protocols even prior to the treaty's entry into force, or that they refrain from such eliminations until the treaty enters into force.

What is your view?

Mr. HARRIS. I believe this is one aspect of the treaty which was not covered as perhaps we should have. There is no right to inspections before the treaty enters into force. There is a set of rights to inspect former missile operating bases. There are provisions so that if missiles are eliminated by testing that we can monitor them by national technical means.

So, I believe there is a problem if the Soviet Union eliminates a substantial number of missiles before the treaty enters into force. I believe it would defeat the object and purpose, one of the objects and purposes of the treaty which is to facilitate verification by the other party, and in particular, the safeguards of the elimination protocol which give us much greater confidence that a missile alleged to be eliminated in fact has been eliminated.

Mr. GRAYBEAL. I believe that any of the facilities listed in the memorandum of understanding that are associated with the missiles limited by the INF should be subject to inspection after the treaty enters into force. It does not have that provision now. It is true you can get rid of missiles by testing, but I believe I read in the paper just the other day that we fired 12 Pershing II missiles recently, and those were not under Soviet inspection either. This was part of our training, and in the process we got rid of the missiles.

So, I think there will be activities that will take place in between. It is my understanding of international law, and Bill Harris can correct me, you do not take any actions inconsistent with or that cannot be changed between the time you sign a treaty and you ratify it. So, therefore, there is this question of actions taken on either side that could be inconsistent with the intent and purpose of the treaty. But if the treaty is getting rid of missiles, then this becomes kind of an objective judgment factor I am not a legal lawyer, but I just wanted to highlight that consideration.

Mr. COLBY. The treaty does provide for inspections of former missile facilities, and you could include those, clearly. Obviously you cannot inspect before the treaty comes into force. Everybody knows that.

Mr. GRAYBEAL. That is what I was referring to. All those facilities in the memorandum of understanding, I think you should have a right to go and see, and those are former facilities, so they have to be listed.

Dr. DRELL. I would agree with Mr. Colby, the treaty says we have the right to examine former bases. The bases have been identified, and so we will have a right to examine those bases, even if they shoot off the missiles.

Mr. DOUGLASS. But those bases are the ones in which you cannot conduct any measurements yourself, as I was referring to earlier. Those are the long-term considerations where you cannot conduct measurements. Those all have to be done by the inspected party.

Mr. COLBY. But if you are examining whether the base is eliminated, the question is whether there is anything there, not the measurements.

Senator PRESSLER. Well, let me just conclude with this. Common folklore says that a flaw in the treaty is what we discussed earlier, that we have these onsite inspectors but each country has certain areas that are off limits to the onsite inspectors. Granted, we insisted on having areas here off limits, I guess.

We say we will not do that in the START negotiations. But is it not a flaw in the treaty that basically anybody can go anywhere in the United States, but we do not equally free access in the Soviet Union or Eastern Europe?

Recently I read in the New York Times that a group of Czechoslovakians with a truck and a collapsible airplane were going about the United States presumably taking pictures or something. I put the story in the Congressional Record. I do not know what our Government did about it. Probably we could not do anything under our laws.

The point is they would use this collapsible airplane to take pictures of military sites and so forth. We are such an open society that you really do not need onsite inspectors to find out what is going on around here, whereas in the Soviet Union, the areas that are off limits to onsite inspectors are really off limits to everyone.

Now, what about that? Can anybody go around the United States and pick up this information? Of course, we also compound that with a very wonderful free press which may print things in our country that may not be printed in the Soviet Union.

So, putting all those things together, are we really on an equal basis regarding these off-limits areas?

Mr. GRAYBEAL. I testified earlier on this point, sir, so I will not repeat it.

Senator PRESSLER. All right.

I will ask one more question as a followup to my question on Perle's question, because this clarifies it.

With respect to inspection of destroyed sites that we are talking about, one of Perle's concerns was that even after the treaty enters into force, there is no clarity in the treaty with respect to whether the United States has the right to inspect the missile facilities which the Soviets claim to have destroyed before the treaty enters into force.

Do you think we should have that right? And it is true that we cannot do any inspecting before the treaty comes into force, but how are we going to know for sure what has occurred at those missile facilities?

Mr. HARRIS. I personally have a concern about deactivated SS-4 bases. There were certain activities in facilities at SS-4 bases which were of special interest to me because of compliance concerns I cannot discuss in open session, and the Soviet Union unilaterally, before the treaty was signed, began to remove SS-4's from these bases, and effectively took away the requirement relative to the INF treaty for inspection.

But there are still concerns about what is going on at some of those bases. So, that is a class of problems which occurs during the

negotiating phase of a treaty, and the INF has a set of those problems, as any treaty would.

Mr. COLBY. But let's face it, the problem there is that we have a continuing obligation to know what is going on in all the bases. We have accepted a limited category of bases where we can have this kind of inspection under this treaty. That in no way eliminates our general intelligence coverage of other bases and other activities, and we are going to focus, if we find something we worry about, we will focus our intelligence capabilities on those.

Dr. DRELL. Before you came, Senator, I made a comment, I think we all did, that we support the effort to improve our technical means of intelligence. In a treaty environment and in cooperation with onsite or challenge inspections, the need for the highest quality national technical means will grow.

Mr. DOUGLASS. If I might make a comment on that, I agree very much with what Mr. Colby and Mr. Drell said. If you look at it from the Soviet perspective, if they want to violate, if they want to cheat, does that added inspection do anything, or does it just increase the cost and force them to move their cheating operation to someplace else?

In other words, you could have certainly, let's say, argue for the ability to look at the former bases or presumably destroyed bases, but if the Soviets want to maintain an illegal capability, what you are doing is you are just causing them to move it to some other base rather than that base.

So, have you really accomplished anything? The question is do they want to cheat or not?

Dr. DRELL. Perhaps just one brief comment again. Testing weapons and learning something from the tests is not simple. It is complex, and when you add to the burden by outlawing it or having onsite challenge inspections or visits to declared sites, you are making much more difficult an already very difficult function.

So you would ask yourself why they would enter into an agreement which is going to make it very difficult for them to do something, something that it is already difficult for them to do.

I just want to comment on that because sometimes it sounds, when you just say testing, like it is a relatively easy activity. It is not.

Senator PRESSLER. Thank you very much, Mr. Chairman.

I want to thank the witnesses.

The CHAIRMAN. Thank you.

I have two points I would like to raise as I wrap up. I would like first, talking to Mr. Douglass, I think in the book by Gorbachev he refers a great deal to Lenin, but not to Lenin-Marxism. I went through it quite carefully, and my recollection is he only mentions Marx four or five, half a dozen times, and Lenin about a hundred times, and there is a difference, in my view, between Leninism, which is a more pragmatic approach, as seen with his new economic plan or policy, and Marxism-Leninism, and I was just curious if you would concur in that thought.

Mr. DOUGLASS. I think you are right. I think he does mention mainly a return to Lenin. I would not draw that strong a distinction between the two.

The CHAIRMAN. It is a leapfrog backward.

Mr. Graybeal, I was taken by your recommendation on pages 6 and 7 that serious consideration be given to combining the SVC and the SCC. You were the first U.S. Commissioner on the SCC.

I have been weighing myself the advantages of such a measure, and I was wondering if you could elaborate the possible benefits of merging the two or what you see as the disadvantages.

I for one was always pretty impressed with the SCC, and particularly with General Ellis and the fine job I thought he did, and I was curious what your thinking was in this regard.

Mr. GRAYBEAL. Well, I may be slightly biased on the SCC, having negotiated the charter, the regulations, and served as the first Commissioner for 4 years, and I agree, that General Ellis is doing an outstanding job.

My basis of recommendation——

The CHAIRMAN. And I am sure you did, too.

Mr. GRAYBEAL. Thank you, sir.

The basis of my recommendation is when you look at the mission and functions of these two bodies, they are essentially the same. You are dealing with strategic forces.

In my view, we should benefit from the experience and the lessons learned, and the mistakes, in the SCC when we go into the Special Verification Commission. I do not see the reason for having a separate commission for each agreement that you are going to reach. To me, one body should deal with the issues we should learn from our experiences. One body would have knowledge of all of them, and in my view, the advantages are of having a very qualified group dealing with bilateral strategic arms control—I am not proposing multilateral—but the bilateral agreements, the ABM Treaty, the INF and the START agreements, and any subsequent bilateral agreements, would be in the net U.S. interest.

As far as the disadvantages that you asked for in this process, I do not see any disadvantages that I can think of right offhand. I think the reason we got here was part of the concern of some people that the ABM Treaty was a mistake, and that the SCC was not effective, and it was attached to the ABM treaty, and we certainly do not want to extend its life by adding the INF treaty to its responsibilities.

So I think that the basic foundation for doing it was slightly flawed, and therefore I think we should now look at correcting that situation.

The CHAIRMAN. Thank you very much.

Mr. HARRIS. Mr. Chairman.

The CHAIRMAN. Yes, Mr. Harris.

Mr. HARRIS. On that very point, I believe there is one disadvantage of the SCC that ought to be considered in the implementation of the Special Verification Commission, and that is that rule 8 of the SCC for SALT required privacy of all the proceedings unless both parties were to agree to waive that rule, and that has the effect of reducing and delaying, delaying public reporting on non-compliance, and in some circumstances, reducing the costs of non-compliance.

I believe that if this new Verification Commission is going to not only strengthen verification, but strengthen incentives for compliance, it is essential that it have the right to meet both in private to

resolve inadvertent difficulties, or to resolve questions of compliance, but also to meet in public at the right of either party so that in the event of noncompliance we can have a public record that indicates that there is a problem, and that that would accomplish a purpose which we cannot accomplish in the SCC because of Rule 8 requiring privacy.

The CHAIRMAN. Thank you.

Mr. Graybeal.

Mr. GRAYBEAL. Paragraph 8 of the regulations prohibits either side from making the proceedings of the SCC public. When we negotiated that provision, which was the most controversial of the articles in the regulations, we made very clear to the Soviets in the negotiating record that neither Commissioner had a veto power over either's government, and in fact, in 1975 and 1976 the President did make public many of the items discussed in the SCC and the results of those discussions.

On Bill's other point; namely, that you should have the mechanism of having negotiations, both private and in public, I think private negotiations are important for compliance issues. You do not want the world looking over your shoulder. On the other hand, you should have a forum for public disclosures. You should be able to make that record of your discussions and the results public. I think that this issue can be handled very simply by a clarification or an amendment to paragraph 8. I do not think that there is a significant difference between the SCC and the SVC.

Last point. Many people state that the SCC only meets twice a year, whereas the Special Verification Commission will meet any time. That is factually incorrect. The SCC can meet any time at the call of either party, and they are required to be there within 1 to 2 weeks.

The CHAIRMAN. Good. Thank you very much, indeed, and thank you, gentlemen, for being with us this afternoon.

The committee will meet again at 10 o'clock tomorrow, Friday morning, to hear a panel of experts on arms control issues.

We are now in recess.

[Whereupon, at 4:50 p.m., the committee recessed, to reconvene at 10 a.m., February 19, 1988.]



THE INF TREATY

FRIDAY, FEBRUARY 19, 1988

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10 a.m. in room SH-216, Hart Senate Office Building, Hon. Claiborne Pell (chairman of the committee) presiding.

Present: Senators Pell, Sarbanes, Cranston, Adams, Helms, Lugar, and Pressler.

The CHAIRMAN. The Committee on Foreign Relations will come to order.

I will forgo my opening statement but reserve the right of reply if the ranking minority member wishes to make an opening statement himself.

We will start right out with our very distinguished panel.

We will begin with the Honorable Paul Warnke, formerly Director of the ACDA and SALT II negotiator. I would ask all the witnesses, if they could, to limit themselves to less than 10 minutes. The full statements will be put in the record. That will give us more of an opportunity for questions.

Mr. Warnke.

STATEMENT OF HON. PAUL C. WARNKE, CHIEF U.S. NEGOTIATOR ON SALT II AND FORMER DIRECTOR, ARMS CONTROL AND DIS- ARMAMENT AGENCY

Ambassador WARNKE. Thank you, Mr. Chairman.

I have submitted a written statement which I understand will be part of the record. In summarizing it, I make two points. What I say, first of all, is that in evaluating any arms control treaty, you have to keep your eye on the fundamental objective, which is to reduce the risk of nuclear war. I think that this treaty does that in admirable fashion. It does so by getting rid of weapons that are particularly dangerous—because of their location, they are quite vulnerable, and because of their adaptation to first use. So, accordingly, as I say, the treaty from the standpoint of arms control is an excellent one.

The other objective, and I think this is accomplished by the treaty, too, is to advance the foreign policy of the United States. It does so by carrying out a NATO decision. NATO decided back in December 1979, in response to the growing threat of the Soviet SS-20's that two tracks would be pursued. One was the arms control track and the other was the deployment track. In other words, if the Soviet Union would negotiate to eliminate the SS-20 threat,

that was the preferable course. The alternative was to deploy American missiles in Europe.

The Soviet Union did not respond affirmatively in the arms control track, and therefore in 1983 the decision was made to begin the deployment of the Pershings and the ground launched Cruise missiles.

The Soviet Union, as the chairman recognizes, carried out its threat to move away from the negotiations at that point. But when it became clear that this sort of strong-arm tactic would not succeed, they returned to the negotiating table. And they have gone even further than we asked them to go back in 1979 because they have now agreed not only to eliminate the intermediate-range weapons, their SS-20's, the remaining SS-4's, but they have also agreed to eliminate the shorter range missiles with ranges between 500 and 1,000 kilometers.

Now that, in particular, of course, benefits our side because the Soviets had a virtual monopoly on those shorter range systems. They have now agreed to take them out.

If you look at it in terms of numbers, which is not the most cardinal aspect of the treaty, it is again a victory for our side. They are eliminating something like four times as many deployed warheads as the United States is eliminating. Not only that, we have succeeded once again in avoiding any inclusion of the British and French nuclear forces.

So, as I say, it seems to me that this treaty is a very, very useful first step.

Now, there has been criticism of the treaty on the ground that it impairs the spectrum of deterrence. I do not believe that to be a valid argument. In the first place, what it suggests is that these intermediate-range forces would be more apt to be used in response to a conventional attack by the Warsaw Pact. I fail to see the logic in that argument. It seems to me that any American warhead that strikes Soviet territory, regardless of the launch point, is equally apt to precipitate a nuclear exchange.

I agree with former Chancellor Helmut Schmidt and with Andre Sakharov that it is not a realistic option to utilize nuclear weapons against Soviet targets in response to conventional attack.

This treaty does not deal with the question of the battlefield tactical nuclear weapons. And I believe it should not. I think that that negotiation should be accompanied and perhaps preceded by negotiations having to do with the conventional force balance in Europe. The treaty does not denuclearize Europe. It leaves us with thousands of tactical battlefield nuclear weapons, as well, of course, as the European-based aircraft that have gravity bombs and short range missiles.

So, I do not see any cause for alarm in this treaty. I believe, as I have said, from the military standpoint advantages, the advantages are quite clear. From the standpoint of NATO solidarity, I think again the treaty is a very useful step. What it does is to eliminate the separate nuclear threat that the Western European members of NATO have faced. They now will face the exact threat faced by the United States and by Canada.

So, I believe from the standpoint of alliance solidarity, it similarly makes a contribution.

I think it is also clear, however, that we cannot stop at this point. There are now no restrictions on strategic-range nuclear missiles. The Soviet Union could very rapidly replace and substantially exceed the number of warheads that it is eliminating in its intermediate-range and shorter range forces. It could do so by a couple of simple measures. It could increase the number of MIRVed ICBM's above the 820 figure that was specified in SALT II. They could do it by continuing to deploy SS-24's without eliminating the existing older MIRVed ICBM's. It could also increase warheads simply by increasing the number of warheads per missile. For example, the SS-18 under SALT II is limited to 10 warheads each. They have 308 of those SS-18's. By going from a loading of 10 to a loading of 30, they could increase the number of warheads by 6,000, which coincidentally is the number to which we want them to be limited in our START proposals.

So, as I have said, unless we can negotiate restraints on strategic-range forces, the benefits of this treaty can be substantially vitiated in very, very short order.

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Warnke may be found in the appendix.]

The CHAIRMAN. Thank you very much, Ambassador Warnke. Ambassador Earle.

STATEMENT OF HON. RALPH EARLE II, CHIEF U.S. NEGOTIATOR ON SALT II AND FORMER DIRECTOR OF ARMS CONTROL AND DISARMAMENT AGENCY

Ambassador EARLE. Thank you, Mr. Chairman.

I, too, like Ambassador Warnke, have a prepared statement which has been submitted and which I will summarize as briefly as I can.

The CHAIRMAN. I would add that all these prepared statements will be inserted in the record in full as if read.

Ambassador EARLE. Thank you, Mr. Chairman. I appear here, I would like to note, not only as a former negotiator but as the national policy director of the Lawyers' Alliance for Nuclear Arms Control, which supports the comments that I am going to make.

Like Ambassador Warnke, I support the prompt ratification of the Intermediate-Range Nuclear Force Treaty without amendment. I think the benefits of the treaty have been testified to before this committee by a number of witnesses, particularly those from the administration, and I would simply note that there are many advantages. One, the threat in Western Europe from the SS-20's and the shorter range missiles, as well as in the Asian and Pacific areas, has been eliminated. The treaty demonstrates America's commitment to peace and security, which I think has been called into some question in the last few years. It provides for unprecedented verification provisions which, if not seized upon at this time, will be a long time in coming. It has very little effect on American military capabilities, bearing in mind that 3½ years ago none of the American weapons affected by this treaty were even deployed. And, in a political sense, I think it is important because it puts the arms control process back on the track, and it puts the

signature of a conservative American President on an arms control agreement, lending the process further credibility with the public and Congress.

To be sure, the INF Treaty is not perfect. Every treaty, like every revisable compromise, is imperfect. But, while it is a long, complex document, and deserves close scrutiny, Senators should focus on what the Treaty does—not on what it does not do. We must not let the best become the enemy of the good.

So I support the treaty wholeheartedly.

But that said, I would like to address a point which is of concern regarding the future of both this treaty and any other treaty completed in the future, and that is the matter of the authority of administration witnesses when presenting a treaty to the Senate.

Certainly before this committee I do not need to amplify the critical role that the Senate plays in defining the future direction of U.S. security policy. The Senate's constitutional prerogative to debate consent to treaty ratification is one of the bulwarks of the relationship between the executive branch and Congress. Therefore, Mr. Chairman, the questions raised in recent years by the Legal Advisor of the State Department have troubled me and the Lawyers' Alliance for Nuclear Arms Control.

As a lawyer concerned with the ratification process as governed by the U.S. Constitution, I find it almost incredible that one can argue that years after ratification, in order to resolve an alleged ambiguity, a further review of the negotiating record by people not involved in that negotiation can take legal precedence over the contemporaneous deployment testimony of those who did participate. In my view, it is bad policy, it is bad law.

Further, as a former negotiator, I can assure you that the proposed policy can only have a chilling effect on flexibility in future negotiations. If every proposal and counterproposal made in the course of a negotiation lasting several years can later be scrutinized for meanings, even those unintended by the participants, our negotiators will be stultified, and their efforts to achieve satisfactory agreements will be compromised.

And finally, Mr. Chairman, when one talks of reviewing the negotiating record, one should be clear about the subject matter. Other than plenary statements and the agreement itself, the "record" is merely a mass of unilateral memorandums prepared by one side. Accordingly, I would ask the question should a memorandum of conversation prepared by Negotiator X in 1990 and reviewed in 1995 by Lawyer Y have any greater or even as great import as Senate testimony on the same subject by the original negotiator at the time of ratification?

The answer is clearly "no." A future administration should not have the option of redefining a treaty's terms by dismissing the executive branch testimony as not authoritative.

I understand that some Senators are considering a condition on Senate consent to ratification of the INF Treaty which would forbid a future interpretation without corresponding Senate approval which differed from the common understanding regarding that treaty reached by the executive branch and the Senate in the course of the ratification process. I support adoption of such a condition.

One would hope that this administration would also accept that condition without opposition since it merely confirms longstanding constitutional principle. Although I and others have been urging an unconditional ratification of the INF treaty, this is a different issue. Failure to resolve it will undermine the development of future American arms control policy, our negotiating leverage with the Soviets, and the United States credibility with its allies.

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Earle may be found in the appendix.]

The CHAIRMAN. Thank you very much, Ambassador Earle. Ambassador Dean.

STATEMENT OF HON. JONATHAN DEAN, FORMER U.S. REPRESENTATIVE TO MUTUAL AND BALANCED FORCE REDUCTION TALKS

Ambassador DEAN. Thank you, Mr. Chairman.

At the outset I would like to describe the three main points I hope to leave with you today. First, the main military effect of the INF agreement is to improve NATO's theater-range nuclear position while enhancing crisis stability. Consequently, the INF Treaty creates no new need to improve NATO's nuclear forces. It makes no sense to build down nuclear weapons with one hand and then to build them up with the other.

Second, as regards the impact of INF on the conventional balance in Europe, NATO conventional forces were adequate before INF to frustrate the kind of attack which NATO has most feared, an attack with minimum preparation, the so-called surprise attack. NATO conventional forces will be all the more adequate for this mission after INF is implemented. Therefore, no special strengthening of conventional forces is required by the treaty.

However—my third point—in its much larger Soviet than American reductions, and in its verification provisions, the treaty considerably improves the prospects for a negotiated reduction of Warsaw Pact and NATO conventional forces. We should seize this opportunity now for two reasons. First and foremost, because the NATO-Warsaw Pact military confrontation in Europe is becoming more obsolete with each passing year. The confrontation no longer has any functional justification at its present level, and that level should be sharply lowered. And we should seize this opportunity now because the circumstances which have produced Soviet flexibility on arms control may not last indefinitely.

As regards the first point—the theater-nuclear balance after INF is implemented, the Soviet Union will have about 1,000 fewer nuclear missiles targeted on Western Europe than it had in 1980 when the INF talks started. But the United States will not lose a single nuclear delivery system which it had deployed in Europe in 1980 as the result of this treaty. British and French nuclear forces, exempted from coverage in the treaty, have been increasing steadily since the INF negotiations began. For example, they have doubled the number of their submarine-launched warheads since that time, and these forces are still increasing.

With INF, the Soviet Union has lost the only delivery systems of sufficient accuracy, precision, and penetration suitable for conducting limited nuclear war in Europe at the beginning of a conflict or during it. The Soviet Union has other nuclear missiles which it could substitute, but none has the same qualities of speed, accuracy, and limited yield, and most alternate systems of adequate range on both sides are less vulnerable to preemptive attack at the outset of a conflict. There is a gain here in crisis stability.

The Soviet Union has also lost a second category of missiles, those of the 500- to 1,000-kilometer range in which they also had very large numerical superiority. These missiles were beginning to achieve the accuracy which would have made it possible to use them with conventional and chemical warheads at the outset of war, for behind-the-lines attack on NATO airfields, ports, and command centers.

There are also important gains from INF verification, not only deterring cheating, but opening up the whole Soviet military complex to observation, undercutting the Soviet tradition of secrecy.

To sum up, INF brings a decided diminution in pact capacity for sudden missile attack, nuclear or conventional, and an increase in crisis stability. To this degree, war in Europe will be even less likely after implementation of the treaty than before it.

After INF, the conventional forces issue becomes more important and prominent in the sense that when the heavyweights are eliminated, the center of interest shifts to the middleweights. But increased Western interest in conventional forces does not mean that the treaty brings increased conventional vulnerability for NATO.

During the 8 years that I was with the MBFR talks in Vienna, I reviewed the relationship between NATO and Warsaw Pact forces almost daily. This work left me with some firm conclusions: NATO's forces are adequate to deal with limited preparation attack, the contingency which NATO leaders still fear most. NATO has outspent the pact for 20 years, and it has more men in Europe, both active duty and reserve personnel, than the Warsaw Pact.

The Warsaw Pact does have numerical superiority in most major armaments and in units, but it is highly doubtful that this numerical superiority can be converted to combat effectiveness for surprise attack.

In ground forces, about half the pact's numerical superiority in arms and units is in category 3 reserve divisions which take 30 to 90 days for mobilization. These units are not usable for surprise attack. The pact forces cannot achieve air superiority over the NATO area, an essential for success of any attack, and the Soviet Union has a sparse second echelon of rapidly available ground force reinforcements.

The pact tank superiority in Central Europe, something we hear of very often, is less than 4,000 or so at any stage. Unless NATO drops the ball—and here I am talking about American and Federal German decisionmaking, not the formal deliberations of the NATO Council, the pact cannot have any assurance of victory from a short-preparation attack.

In any event, Mr. Chairman, it is more rational to reduce the forces constituting the NATO-Warsaw Pact military confrontation

in Europe by negotiation than to build up the NATO component of the confrontation.

This leads to my third main point: The East-West military confrontation in Europe is obsolescent if not obsolete. We should not be talking now about how to maintain that confrontation but about how to dismantle it. Fifteen years ago, in the 1970's, the cold war in Europe peaked politically when the Federal Republic of Germany concluded treaties with the U.S.S.R. and Poland accepting that the postwar boundaries of Europe, including the incorporation of large former German territories into Poland and the U.S.S.R., could be changed only by peaceful means. It also accepted East Germany as a second German state.

On the other side of the equation, in the 1971 Berlin agreement, the Soviet Union acknowledged the rights of the three Western powers in the western sectors of Berlin, as did East Germany. Both governments gave up their 25-year effort to push the Western allies out of Berlin, which at least twice brought us to the verge of war.

There have been other changes of direct relevance to the East-West confrontation in the last decades. Today, the Western European Communist parties are reduced to weakness with the exception of the Italian party, which defies Moscow's leadership and declares its support for the continuation of NATO.

The help which these parties could have given to a Soviet attack through widespread uprisings, sabotage and coups is no longer available. That help was indispensable to the success of any Soviet military attack on Europe. And today, of course, we know a lot more about the weaknesses of the Soviet system itself, including the weaknesses of its system in Eastern Europe. Very few people still believe the Soviet system is any kind of model for Western Europe.

In the political sense, then, neither side is any longer an immediate threat to the other in Europe, and this fact has become evident. The political cold war is over in Europe. This leaves the vast armies of the two alliances, 6 million active duty military personnel, for whom and their equipment the two alliances spend \$600 billion a year. With the political confrontation in decline, the military confrontation in Europe no longer makes great sense.

The INF Treaty is a good first step towards building down that military confrontation. Fortunately, there is also renewed opportunity to do this for conventional forces in the new Atlantic to Urals force reduction negotiations which will begin this year. Although their beginning may be slow, there are prospects for a favorable outcome from these talks.

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Dean may be found in the appendix.]

The CHAIRMAN. Thank you very much, Ambassador Dean.

The next witness is Ambassador Schneider, who has been before this committee many times wearing different hats.

Mr. Schneider.

STATEMENT OF HON. WILLIAM SCHNEIDER, JR., MEMBER, GENERAL ADVISORY COMMITTEE OF THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Mr. SCHNEIDER. Thank you, Mr. Chairman. It is a privilege once again to have an opportunity to testify before this committee. My previous appearances before the committee occurred in my capacity as an official of the Department of State supporting the President's foreign assistance program.

The subject of my testimony today is no less important, although I do so today as a private citizen. I am a private consultant as well as chairman of the U.S. General Advisory Committee on Arms Control and Disarmament. My testimony today, however, reflects my own views and should not necessarily be attributed to any individual member of the General Advisory Committee or the committee as a corporate entity.

It seems fair to state that the concept of double zero solution for the problem of intermediate- and shorter range missile forces is widely accepted within the Congress and among U.S. allies. Rather, the question is the terms under which the ratification of the treaty will take place and the implications of its ratification for American security and the security of the alliance.

I would like to briefly touch on four dimensions of the INF agreement in my remarks. The first is the question of the lessons learned from the U.S. INF negotiating experience. The first lesson I would point to is that arms control can never be a substitute for an adequate defense policy. Indeed, the record reveals that when arms control objectives are subordinated to, defense objectives, the least desirable outcome is realized, a disadvantageous arms control agreement and a weakened defense posture.

It was the mistaken view of policymakers in the late seventies that a strategic arms limitation could be achieved if the United States abstained from modernizing its strategic forces, we brought our own strategic modernization program to a halt. The B-1 bomber was cancelled, the MX missile and D-5 Trident missile were delayed, the Minuteman III production line terminated, strategic Cruise missile production and deployment were delayed. At the theater level, the enhanced radiation weapon was cancelled, at great political cost to the alliance, as well as to the United States.

The cumulative effect was to convince the Soviet leadership that their U.S. counterparts believed that strategic arms control agreements were more important than the modernization of core elements of the U.S. strategic and theater deterrent.

What emerged from the negotiations was a SALT II agreement so inequitable and unfavorable to U.S. security interests that it was rejected by the American public and never ratified by the Senate.

Our experience in the 1970's compares unfavorably with the 1980's. U.S. defense interests regained their central role in national security policy decisionmaking, and a broadly supported program of rebuilding the U.S. defense apparatus was undertaken. This change in defense policy permitted our arms control policy to change as well. Rather than merely seek limitations on the growth of Soviet forces, we were able to insist on either the elimination of

an entire class of weapons systems, as in INF, or in sharp reductions, as in the case of the START negotiations now underway.

The second lesson emerges from this negotiating experience. Fashionable opinion in the early 1980's came to regard the double zero solution as either nonnegotiable at best, or as a ruse to avoid serious negotiations at worst. In fact, the ability of U.S. negotiators to sustain the double zero posture has been proven. It is indeed possible to put forward an arms control proposal consistent with U.S. security interests, support it with a complementary defense policy, and achieve a desired result through traditional diplomatic means.

The INF negotiation suggests staying with a proposal that is in our interest is the only way to win an agreement that meets the test of U.S. security concerns and broad acceptance by the Congress and the American public.

The third lesson is that negotiations about arms control cannot be separated from the corpus of U.S. foreign policy worldwide. In this respect, the contrast between the withdrawal of American power from Southeast Asia, the Middle East, Southern Africa, and the Western Hemisphere in the late 1970's compared to the relentless assertion of American interests in these areas in the 1980's has not been lost on the Soviet leadership. In the aggregate, the shift from a passive to an active foreign policy has contributed to the ability to achieve our ends in the arms control arena.

I am concerned about the recent reduction in investment in defense and security assistance, as these crucial ingredients of national power in the first half of the 1980's contributed greatly to our success in INF negotiations.

The second set of issues I am seeking to address today are specific ones relating to the ratification of the agreement. The first of these is concerns about circumvention of the agreement. One of the most significant aspects, pointed to by several of my fellow panelists, has been the aspect of the agreement that seeks the elimination of all intermediate- and shorter range land-based missiles. This feature, however, would magnify the significance of noncompliance or circumvention of the agreement.

There is an important asymmetry in the nature of the agreement which I believe should be addressed; the problem of the SS-25 mobile ICBM. The SS-25 is not reached by the terms of the agreement but has important links to the SS-20 system eliminated by the treaty. The SS-20 and the SS-25 share a first stage indistinguishable from each other. The two systems differ only in range and payload characteristics. The SS-25 can be configured as an effective intermediate-range system through the simple use of thrust termination techniques to give the system variable range. Indeed, the older SS-11 ICBM has had a variable-range capability for many years.

Moreover, the continued availability of the SS-20 upper stage guidance and control systems and the multiple warheads for that system allow the Soviets to mate these components to a variable-range SS-25, uncontrolled by the agreement. That is to say, this could permit the circumvention of the intent of the agreement.

The second issue is the question of compliance. The abysmal record of the Soviet Union in complying with previous international agreements has been well documented in four reports by the

President to the Congress. The relatively narrow scope of the INF agreement provides an important opportunity to begin to cope with this problem.

The risk of noncompliance could be offset by hedges or safeguards against noncompliance in the form of a parallel deployment of an antitactical ballistic missile system. Such a hedge or safeguard has a persuasive historical precedent drawn from the Limited Test Ban Treaty of 1963. Along with the ratification of the treaty, the Congress established a set of safeguards, including the maintenance of a vigorous program of underground nuclear testing to offset the risk of Soviet resumption of atmospheric nuclear tests.

You will recall that the Soviets had, without warning, violated a 1958 atmospheric test ban moratorium in 1961, and so congressional concerns at the time were entirely justified.

A third point is the question of the modernization of conventional forces. To enable the alliance to offset Soviet conventional preponderance and the diplomatic consequences of that preponderance, we must be able to introduce modern conventional weapons technology. The agreement has the effect of constraining one of the most promising avenues of conventional force modernization, long-range, conventionally armed Cruise missiles. To avoid complex and perhaps intractable verification problems associated with seeking to distinguish between nuclear and nonnuclear Cruise missiles, the agreement bans both, but it permits unarmed, remotely piloted vehicles, a distinction equally difficult to verify.

Our experience suggests that the United States will execute the terms of the agreement literally. The Soviets, however, are likely to be able to maintain a long-range, conventionally armed Cruise missile under the guise of an unarmed, remotely piloted vehicle program. As a result, the ability of the alliance to mitigate Soviet conventional military power will be severely curtailed without any offsetting benefit to the alliance.

In terms of postratification issues, I would briefly cite three. One is the conventional/nuclear force modernization issue. In order for our conventional forces to maintain effective deterrence, nuclear forces in a modernized state are necessary. The only way conventional forces can be effective is if the nuclear overwatch (the nuclear threat to those forces) compels them to disperse so that their conventional efficiency is mitigated.

In the interests of time, Mr. Chairman, I would just like to conclude with a few issues concerning the future direction of arms control. The first is onsite inspection. The absence of suspect site provisions in the INF agreement diminishes the effectiveness of our efforts to verify Soviet compliance. A suitable future onsite inspection regime needs to provide asymmetric suspect site inspection to reflect the closed character of Soviet society and the bleak Soviet performance on these matters in the past.

Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Schneider may be found in the appendix.]

THE CHAIRMAN. Thank you very much, Mr. Schneider.

I would recognize Senator Adams, who wishes to greet one of the panelists and who has to leave shortly.

SENATOR ADAMS. Thank you, Mr. Chairman.

I apologize for my having to leave during the course of the morning. I have been asked to preside over the Senate, and I will have to do that.

I welcome all of the witnesses, but I want to particularly welcome Mr. Warnke, Ambassador Warnke here this morning. I have served in prior administrations with him. He is not only an old friend, but someone for whom I have the greatest respect, and I am very pleased that he would be able to join the committee this morning.

Ambassador WARNKE. Thank you.

Senator ADAMS. And I thank you, Mr. Chairman, for giving me the opportunity to make this statement to explain both my absence and to welcome Mr. Warnke.

The CHAIRMAN. Thank you very much, Senator Adams.
Dr. Van Cleave.

**STATEMENT OF DR. WILLIAM R. VAN CLEAVE, PROFESSOR, AND
DIRECTOR, CENTER FOR DEFENSE STRATEGIC STUDIES,
SOUTHWEST MISSOURI STATE UNIVERSITY, SPRINGFIELD, MO**

Dr. VAN CLEAVE. Thank you.

Mr. Chairman, I do appreciate the opportunity and privilege of appearing before this distinguished committee to express my views on the INF Treaty and its direct and indirect implications for U.S. national security interests.

It seems to me there are issues to be addressed around two general questions. First, is the agreement sound in principle and concept, or does its costs and risks outweigh its benefits; and second, is it satisfactory as written, or does it require corrective action by the Senate, even though one might favor the agreement in principle?

I would wish to touch briefly on those and submit a longer statement for the record.

Several points I would make follow. The first, the agreement should not be evaluated outside the context of our experience with the Soviet Union and with arms control and our knowledge of Soviet strategic objectives and military programs. It seems that every time we have a new arms agreement, there is a tendency to forget or ignore relevant experience. Yet, we have a rich experience with the Soviet approach to arms control, and we have gained extensive knowledge about Soviet strategic objectives.

This experience and knowledge require, demand in my view, questions about Soviet motivations and goals as regards this agreement, and about likely Soviet behavior under any arms control negotiation as well.

Public emphasis on disarmament by the superpowers has created in the West the illusion that Soviet military programs are slackening. Yet, in fact, Soviet nuclear arms programs, offensive and defensive, continue to grow. U.S. intelligence does not project their diminishment. Rather, it projects not only continuation at currently high levels of effort and expenditure, but also continued growth.

In fact, it seems to me very likely that the Soviets' view of this agreement is that it could bring about the progressive denuclearization of U.S. forces in Europe while the Soviets accelerate their own strategic nuclear modernization.

Given our experience with the Soviets' use of arms control to restrain American technology and American arms programs while continuing with their own, it seems to me that it would be highly optimistic and imprudent without a great deal of further evidence and substantial new experience to expect a totally different Soviet approach.

Focusing almost entirely on the numbers of weapons that are presumably to be eliminated, assuming, of course, the Soviets comply fully with the agreement, the administration argues that the INF agreement is the best arms control deal we have had from the Soviets. Given the record, while this may seem true, it is not particularly an unqualified endorsement in and of itself. The value of an agreement, it should go without saying, cannot be determined by the numbers of weapons reduced, but only by its overall political and strategic impact, including a careful net assessment of the military consequences.

The Soviets may be willing actually to reduce or even to eliminate their advantage in particular types of systems in return for political and strategic gains that would more than compensate. In the INF context, these may include the following: The weakening of NATO's political cohesion; the unraveling of NATO's strategy of flexible response; increased pressures in Europe for denuclearization, or at least against new arms programs; a new period of détente or Ostpolitik which would provide the Soviets with the benefits of increased trade, technology transfer, and financial credits; self-imposed constraints on United States and allied arms programs beyond theater modernization programs, and including the SDI; and, finally, the elimination of a unique NATO capability which the Soviets regard clearly as a major threat to their own strategy, and the elimination thereby of prospects for NATO modernizing and improving that capability.

For their part, the Soviets can expect to achieve these gains by only the apparent elimination of a redundant capability of their own. In fact, the Soviets will have ample opportunity to supplant eliminated systems with other systems such as a theater, perhaps MIRVed, version of the SS-25, or they may retain a covert SS-20 force should they wish to do so.

The Soviets also, however, may expect that they can achieve the above gains by promising the reduction of these forces without actually having to carry it out. We have had experience in the past with the Soviets trading promises of future reductions in Soviet forces for present constraints on American capabilities and programs, and we ought not to forget that.

We have relevant experience as well that arms limitation agreements with the Soviets commonly do not turn out in practice to be what was advertised at the time of their conclusion. SALT I, for example, was very different in practice from what was described to the Senate by the Nixon administration in 1972. Arms agreements with the Soviets contain loopholes, ambiguities, and loose definitions. This INF agreement is no exception. These loopholes deserve your closest attention even if you favor the agreement generally. I will not go into them at this time, but I am prepared to do so later.

These loose provisions serve to create at the time of agreement the illusion of tight limitations, but they leave the Soviets techni-

cally free to circumvent the intent and purposes of the agreement. Even then, with such permissiveness, the Soviets have still selectively violated their arms agreements with the United States, as the President has formally informed Congress on numerous occasions.

Why should we expect anything different at this time?

I would like to emphasize the point that the agreement does not eliminate or even greatly reduce the nuclear threat to NATO. It may reduce systems, but it only eliminates a capability on the NATO side. Stating, as was stated earlier today, that the agreement would eliminate four times as many warheads on the Soviet side ignores the fact that the warheads are not indeed to be eliminated, as well as the fact that NATO has already unilaterally reduced 2,400 warheads before this agreement was even concluded.

There are many Soviet weapons of both shorter and longer range than the ones to be removed that will more than compensate for any reductions that may take place in the INF. The most obvious, of course, and the most obvious loophole in the agreement is the SS-25. Dr. Schneider has covered that, and I do not need to get into it.

I would add, however, that by a peculiarity of wording in the treaty, the SS-25 becomes not only a free weapon but a variable-range version of the SS-25 is legitimized because the treaty defines for limitation purposes an "intermediate-range missile" as a missile whose range capabilities are above 1,000 kilometers but not in excess of 5,500 kilometers. Then it defines "range capabilities" as a missile's maximum tested range. In other words, to be an IRBM by the treaty's definition, it must not have been tested in excess of 5,500 kilometers. If it has been tested in excess of 5,500 kilometers, it becomes by definition an ICBM, even if it is capable of ranges under 5,500 kilometers.

This, of course, allows a MIRVed theater-range version of the SS-25, perhaps an SS-25B or something.

We are eliminating on the Western side a unique capability. To appreciate fully the importance of the weapons we would remove, we would have to go back into the history to examine the reasons for which they were deployed in the first place, and we would have to look at the added importance they acquired during the process of deployment. To portray the decision to deploy these as merely a response to the SS-20 or solely in terms of the two-track public relations decision is to take what became a political description of reality and to confuse it with reality.

I will be happy to go into that history as well in the following discussion period, but the point here is that the weapons have an intrinsic and unique value that was agreed upon after years of deliberation and consideration collectively by NATO, and that value has increased politically in the process of emplacing these weapons in the European theater.

The strategic consequence of the INF agreement, it seems to me, is to place greater reliance on U.S. strategic nuclear forces for extended deterrence, on the strategic balance, at a time when that balance is decidedly adverse to the United States. It will put far more stress on an already unfavorable strategic balance, while at

the other end of the spectrum it will put more stress and emphasis on an unfavorable conventional balance.

Thank you, Mr. Chairman.

[The prepared statement of Dr. Van Cleave may be found in the appendix.]

The CHAIRMAN. Thank you very much, Dr. Van Cleave. We will now have a question period. I hope we are as successful as you all were in keeping to the 10-minute rule limitation.

The INF Treaty, as Dr. Van Cleave just pointed out, provides for an uneven elimination of deployed missiles capable of carrying the warheads. And we, as we know, eliminate 429 and the Soviet Union eliminates 1,667. What in your view accounts for the willingness of the Soviets to accept such a disproportionate reduction in the missiles? And would anybody care to respond?

Ambassador WARNKE. I think there are a couple of reasons, Mr. Chairman, if I may plunge in at this point. There are benefits for the Soviet Union in the INF Treaty, there is no question about it.

You are not going to get a treaty unless it benefits both sides. It is either good for both or it is good for nothing.

It is good for the Soviet Union in that it eliminates a particular weapon, the Pershing II, that they regard as having a decapitation capability. In other words, it could strike with very little warning time the command, control, and communications centers in at least the Western part of the Soviet Union.

And I think as a consequence they are anxious to get rid of that Pershing II. In other words, it served its purpose. It was a very good bargaining lever.

Now, in addition to that—I think that Ambassador Earle would confirm this—the Soviet Union has a distinct allergy to nuclear weapons stationed in Germany. In my negotiations with them, they always referred to the ground-launched Cruise missile, for example, as the German-launched Cruise missile. And so I think that is a plus, too.

And then, if Mr. Gorbachev is thinking straight, he would want to eliminate a continuing irritant relations between the Soviet Union and Western Europe. It seems to me he is trying to improve his relations with Western Europe, and this is one way he can do it.

The CHAIRMAN. Anyone else? Dr. Schneider.

Mr. SCHNEIDER. Thank you, Mr. Chairman. I would add to Ambassador Warnke's remarks a few points.

In the first instance, the decision to not only deploy the Pershing II's, but the other initiatives such as the relatively extensive build-up of American strategic power after neglecting this component of our armed forces during the 1970's—created a new set of incentives for the Soviet Union to negotiate with us. They had a lot more to lose than to gain if they allowed the arms competition in this arena to go on.

I believe we need to attend to the fact that this agreement was achieved in the context of the U.S. Government being willing to build up its military forces across the board.

The willingness to make these asymmetric reductions prevented the situation from the Soviets' perspective from getting worse by

allowing the continued introduction of intermediate- and shorter range nuclear missiles by the alliance into Western Europe.

I think the Congress was very wise in supporting this initiative, and I think it will continue to pay off in our strategic negotiations if we maintain our military power.

The CHAIRMAN. Ambassador Dean.

Ambassador DEAN. If I might add, Mr. Chairman, it does seem to me that, in addition to the reasons given by Ambassador Warnke, that Gorbachev picked this INF subject and made these moves in this negotiation because it was more easily doable as a rapidly concludable agreement. That has been I think evident from the outset as regards the whole spectrum, of arms control negotiations. For that reason, INF was picked by Gorbachev as an opening for a new policy of some improvement in Soviet relations with the West.

The CHAIRMAN. Following up your thought there, do you think that the principle of unequal reductions to common levels, to zero, will be helpful when we get into the START negotiations, and particularly in the arms control arms negotiations with which you have been so concerned over these years?

Ambassador DEAN. Yes, I think it does set a precedent for asymmetrical reductions in the conventional field, as well as for very far-reaching verification of those negotiations.

Indeed, General Secretary Gorbachev and other Soviet leaders have stated their willingness in general terms to make asymmetrical reductions.

The CHAIRMAN. When it comes to the standard for verification, the administration has used the term "effective verification." And I was curious if you saw any difference between the standard applied to SALT II, which was adequate reservation or verification, as opposed to effective as used in the INF Treaty, or if you feel it is one and the same?

Ambassador EARLE. If I may, Mr. Chairman, as we lawyers say, that is a distinction without a difference. I think just as they changed the name of SALT to START, they changed "adequate" to "effective." But I do not think there is any substantive difference between the two.

The CHAIRMAN. Dr. Schneider.

Mr. SCHNEIDER. Thank you, Mr. Chairman.

I disagree with that point, because the reason a distinction is important here is due to the nature of the verification regimes involved. In the SALT II regime, the reliance was entirely on national technical means of verification, whereas in the INF agreement the dependence is both on national technical means and onsite inspection.

The difference is in this agreement effective verification requires the integration of these two techniques for assuring Soviet compliance, and in this case the effectiveness implies being able to assure that there are not even small violations of the agreement.

In the case of the SALT II agreement that the Congress refused to ratify, the notion of effective or adequate—rather, adequate verification, became an artifice to cover up the fact that it was not feasible in the way the agreement was written to assure Soviet compliance.

And so I think there is an important difference that needs to be taken on board here.

The CHAIRMAN. So we are talking about the standard and not the means of reaching that?

Mr. SCHNEIDER. That is right, but the standard drives the means.

The CHAIRMAN. Dr. Van Cleave.

Dr. VAN CLEAVE. I would have reservations about the effectiveness of a verification regime under this treaty, whether through onsite inspection or through national technical means.

What bothers me most about the phrase "effective verification" is that I would think to support a phrase such as "effective verification" there would have to be an effective compliance policy, and I do not see an effective U.S. compliance policy.

One thing we have learned by now is that verification and compliance do not necessarily equate to one another. Verification seems to me to be the first step, but the second step, which is equally necessary, is an adequate compliance policy. And I do not see one.

The CHAIRMAN. Of course, the ultimate sanction is withdrawal or the right of withdrawal, which we have.

Dr. VAN CLEAVE. We do not exercise the right of withdrawal, even for agreements that are supposed to have a limited duration.

The CHAIRMAN. Ambassador Earle, there is one point I would like to follow up. You mention that you are for reporting the treaty out without any reservations of category 1, 2, or 3 items, but by the same token you thought there should be, as I understood what you said, a reference to this question of the interpretation. The authority of the witnesses in the ABM Treaty.

Would it not be better just to be silent on that subject entirely and not clutter up this treaty with any category 1 or 2 statements?

Ambassador EARLE. I do not think it would be better, Mr. Chairman. I think it would be ducking the issue. I think it is a major, significant legal and constitutional issue.

And I think that the Senate, if I may suggest—and it is not my position to do that. I think the Senate should not permit this issue to go unaddressed. I think it is a matter of grave constitutional importance. And I think to simply paper it over or neglect it would be to create a situation in which, as I suggest in my opening remarks, you may have exactly the same situation here in 15 years as we have with the ABM Treaty—a reinterpretation that is inconsistent with the positions posited by the administration witnesses.

The CHAIRMAN. Well, maybe it would be possible to leave this treaty pristine and attach this reservation to some other, less significant treaty, where the battle can be fought out separately.

Ambassador EARLE. Well, if the Senate is prepared to do it as a general principle, fine. But I am not sure that that is either the best way to do it or a possible way to do it. Perhaps it has to be treated by treaty until the lesson is learned.

The CHAIRMAN. Thank you very much.

My time has expired. Senator Helms.

Senator HELMS. Thank you, Mr. Chairman.

I was just looking through the testimony of Admiral Crowe, and I want to revisit one portion of that if I may. Since this treaty proposes, or purports, to limit intermediate range nuclear forces, I

think it is self-evident that any Soviet offensive forces in Cuba should qualify as INF forces, and therefore would circumvent this INF Treaty.

I discussed that with Admiral Crowe and others when they appeared before this committee earlier, and we reflected that on, I think it was, March 8, 1982, the chairman of the Joint Chiefs of Staff testified to Congress, in response to a question from Congressman Kemp, that the Soviet Union was indeed violating the Kennedy-Khrushchev agreement.

The JCS chairman, of course, was General Jones. And on that day, March 8, 1982, he said: "We interpret Soviet actions in Cuba as a violation. In my judgment they"—meaning the Soviets—"have gone beyond the 1962 accord."

Then before this committee and before the Armed Services Committee as well, the JCS chairman extant, Admiral Crowe, testified: "I do not think we have any evidence that would refute the statement made by General Jones at that time."

So, Admiral Crowe was explicitly agreeing that the Soviets were violating the Kennedy-Khrushchev agreement.

Now, I would like to know, Mr. Schneider or Mr. Van Cleave or anybody else who knows, are the Soviets violating the Kennedy-Khrushchev agreement now?

Mr. SCHNEIDER. I believe from the perspective of deploying additional nuclear capable aircraft, yes, that would be the case. They have been increasing these deployments since the early eighties.

Senator HELMS. That is exactly what I was going to bring up. Secretary Shultz testified before this committee in 1983 that the KK agreement, the Kennedy-Khrushchev, would keep the Soviets from deploying more, as he put it, MIG-23/27's Flogger nuclear delivery capable fighter bombers to Cuba. There will not be any more under this agreement, the Secretary said.

Now, do any of you gentlemen know how many MIG-23/27's were in Cuba in October 1982?

Mr. SCHNEIDER. I think about three dozen, roughly.

Senator HELMS. Three dozen, 36?

Mr. SCHNEIDER. Around that number.

Senator HELMS. Now, I believe that the published official unclassified reports put the number of MIG-23/27's in Cuba today at more than 55. And I see Dr. Van Cleave nodding his head.

Dr. VAN CLEAVE. That is correct.

Senator HELMS. Now, I think the question is obvious: Did the Soviets add a squadron of 10 or more MIG-23/27's since Secretary Shultz assured this committee that they would not?

Dr. VAN CLEAVE. It seems that they obviously did, sir.

Senator HELMS. Now let us get into the capability. Bearing in mind that "Cuber," as one of our Presidents used to pronounce it, is 90 miles off our shore, this treaty has a great deal of relevance specifically to the people of the United States.

Does the MIG-23 have a better nuclear delivery capability than the old Il-28 Beagle light bombers which the United States required the Soviets to remove from Cuba in late 1962?

Dr. VAN CLEAVE. Clearly so.

Senator HELMS. The answer is "yes"?

Dr. VAN CLEAVE. Yes.

Ambassador DEAN. Could I just comment on that, sir?

Senator HELMS. Sure.

Ambassador DEAN. The United States and NATO tend to ascribe to all groups of Soviet fighter-bomber aircraft and fighters a nuclear capability if they have observed some specific unit of them training for nuclear purposes. It is not always the case that the MIG-23 or other Soviet-built aircraft are nuclear capable in the sense that they are actually equipped with nuclear weapons, nor ready to use them, nor trained to use them.

Senator HELMS. Which per se makes them a potential threat to the United States of America and the American people.

And nobody has paid much attention to that. As a matter of fact, I read some press comments pooh-poohing even discussing the Soviet potential in Cuba.

Does the Defense Department list in the publication "Soviet Military Power" all MIG-23/27's and MIG-21's as nuclear delivery capable when they are deployed against NATO?

Mr. SCHNEIDER. Yes.

Senator HELMS. Now, how many MIG-21's are there in Cuba?

Mr. SCHNEIDER. I do not know how many there are, but they have had MIG-21's for quite a while, because that is a multirole aircraft.

Senator HELMS. And I am asking a rhetorical question because I know the answer to it. Are these also nuclear delivery capable?

Mr. SCHNEIDER. Yes.

Ambassador DEAN. Sir, could I come back in on this question?

Senator HELMS. Sure.

Ambassador DEAN. The statement was correct that Dr. Van Cleave gave in response to your question, that we do count them all as nuclear capable. But that is because we adopt a kind of SALT II counting rule to all Soviet fighter-bomber aircraft that can deliver bombs or missiles, assuming that they are nuclear capable.

In actuality, that is an assumption and that is not always the case. As I pointed out, relatively few of them actually train for nuclear missions.

Our own aircraft are distinguishable by the equipment that we have built into them. We are not always sure whether or not the Soviets use the same.

Senator HELMS. How do you know that very few of them?

Ambassador DEAN. Well, that is a matter of observation over the years, that only specific units train.

Senator HELMS. Is that what our intelligence says?

Ambassador DEAN. Yes, that is my understanding.

Dr. VAN CLEAVE. There is a difference, but the known nuclear systems are still an appreciable fraction of the force and it certainly does not put aside the fact that these systems can indeed carry nuclear weapons, are designed to do so, and we can rule out none of them for that mission.

Senator HELMS. And there is also the fact that we would not need but one to fly toward Miami or Charlestown, SC, or Raleigh, NC, or Washington, DC. So, it strikes me that to say that only a few of them train understates the situation. In 1982 the President went on national television in a news conference and said the only place that he, meaning the late Soviet President Brezhnev, could

install them, meaning Soviet nuclear weapons, in this hemisphere would be, guess where, in Cuba, which is his, Brezhnev's, satellite now.

But this would be in total violation, the President said, of the Kennedy-Khrushchev agreement. And then the President said: "You know, there have been other things we could think are violations also of the 1962 agreement."

And for the second time, in September 1983 the President confirmed that the Soviet Union had violated the Kennedy-Khrushchev agreement when he, President Reagan, said: "That agreement had been abrogated many times by the Soviet Union and Cuba in the bringing of what can only be described as offensive weapons, not defensive weapons, there."

Now, was the President on target with that statement?

Mr. SCHNEIDER. Yes, sir, I believe so.

Senator HELMS. Does anybody disagree with it?

[No response.]

Senator HELMS. As Chub Sewell says in North Carolina, Mr. Chairman, "I rest my case."

The CHAIRMAN. Senator Sarbanes.

Senator SARBANES. Thank you, Mr. Chairman.

Mr. Schneider, does the United States have nuclear-capable aircraft in Europe?

Mr. SCHNEIDER. Yes, sir.

Senator SARBANES. Those are planes that we have that could deliver nuclear weapons to the Soviet Union?

Mr. SCHNEIDER. Yes, some of them can penetrate, can reach the Soviet Union.

Senator SARBANES. Are those American planes affected by this treaty?

Mr. SCHNEIDER. No.

Senator SARBANES. In other words, this treaty does not cover such planes, is that correct?

Mr. SCHNEIDER. That is correct.

Senator SARBANES. We could increase the number of such planes to deliver nuclear weapons against the Soviet Union?

Mr. SCHNEIDER. That is correct.

Senator SARBANES. In fact, we have plans to do so, do we not?

Mr. SCHNEIDER. We have an option to do so.

Senator SARBANES. And the treaty does not touch that in any way?

Mr. SCHNEIDER. That is correct.

Senator SARBANES. This treaty deals with missiles, does it not?

Mr. SCHNEIDER. Yes, sir.

Senator SARBANES. Is it your assertion the Soviet Union has missiles in Cuba?

Mr. SCHNEIDER. No.

Senator SARBANES. Now, I want to turn to the consequences, if this treaty is not ratified. Mr. Van Cleave, you suggested that if the treaty is ratified it will weaken NATO's political cohesion.

We have been told just the contrary, most recently by Chancellor Kohl himself. When General Rogers was here, although he expressed a lot of concerns about the treaty, but he said he thought that if the Treaty were not ratified we would not be able to com-

plete our scheduled INF deployments in Europe and the existing deployments would have to come out, while the Soviets would retain their intermediate- and shorter-range missiles—the worst alternative of all.

Therefore I am interested in getting from each member of the panel his view of what the consequences would be of not ratifying this treaty.

Dr. VAN CLEAVE. I would be happy to respond to that, Senator. And I am quite well aware both of the comments that have been made by other witnesses on this matter, as well as I am aware of the delicacy of this particular question and the carefulness with which one must weigh one's assessment or evaluation of this question.

The answer to the question may be influenced heavily by other options, for example whether or not or what kind of amendments, conditions, and the like the Senate attaches to the agreement in consenting to its ratification.

We have on record many important Europeans, including senior level Germans, who have themselves suggested some important conditions or reservations that they would like to see attached to the agreement that would make them feel politically and militarily a whole lot better.

The supporting argument for the agreement contends that we will face anything from political embarrassment to political chaos in NATO, loss of confidence in our leadership, wisdom, and reliability, and even new uncontrolled pressures for unilateral arms control, if we do not ratify the agreement. I would only remind the committee that those were the very same arguments used in some desperation by the Carter administration trying to sell SALT II after its more substantive arguments had failed.

And what happened then when the Senate did not approve SALT II? Well, exactly the opposite of what was predicted: New alliance strength and cohesion, new confidence in the leadership and wisdom of the United States, new, more determined governments, and agreeents to go ahead with modernization plans.

But I would say here that, while one cannot have the confidence of someone holding four aces in making a judgment on this, that it really depends upon how it is all handled. And it could well be handled in a way that would show the United States sound in rejecting or altering agreements that would otherwise be unsound.

I cannot see that these politically apocalyptic predictions are necessarily true in my own view.

Senator SARBANES. Well, it is a judgment that is going to have to be made.

I would like to hear from the other panelists. Let me just for the historical record say, I do not recall the SALT II Treaty being strongly pushed at the time on the basis asserted at the time, in terms of alliance cohesion. In fact, the SALT II Treaty was taken off the Senate calendar largely because of the Soviet invasion of Afghanistan.

Dr. VAN CLEAVE. Well, I believe the record will show as well, Senator, that the SALT II Treaty before it was taken off the Senate calendar did not have the votes to gain consent for that agreement.

The Senate Foreign Relations Committee then had some 23 conditions attached to the agreement. And in any case, at this particular stage in 1979, the Carter administration was in fact emphasizing strongly the putative adverse effects on NATO collectively if the United States failed to approve and ratify this agreement.

Senator SARBANES. Well, the committee had reported it favorably. Whether it would have carried in the Senate we will never know because it never came up in the Senate. It was scheduled to come up at the beginning of 1980, but was taken off the calendar because of the Soviet invasion of Afghanistan.

I would like to hear from the other witnesses on the previous question.

Mr. SCHNEIDER. Senator Sarbanes, I think that the failure to ratify the agreement or to amend the agreement in a way that defeated the heart of the concept of the agreement; namely the double zero option, would have a damaging effect on our own security interests, because this is—the concept of the agreement I think is very much in our interest.

And the perception that we for some reason cannot ratify an agreement that has embedded in it that concept and get it through the Congress would have a negative impact on how our seriousness of purpose is perceived.

I think this case should be distinguished, however, from other things that the Congress might do in parallel to the ratification process or associated with the process that does not damage the central concept, that could indeed work to strengthen the agreement, and I think that would have an equally salutary effect on the perception of our allies, by our allies, of our seriousness of purpose.

Senator SARBANES. Ambassador Dean.

Ambassador DEAN. Senator, Dr. Van Cleve seems to me to be rewriting history. All the European governments, of course, supported the SALT II Treaty, and after the ratification here was suspended they insisted that there be a separate and rapid negotiation on the INF issue, and also urged the administration to start—to resume the strategic reduction talks, which it did under their pressure earlier than it had originally intended.

Today, all NATO governments, of course, support without exception the INF Treaty. Their public opinion supports it also. Frequent polls have shown that support is up to 90 percent.

I think failure to ratify, coming after the INF difficulties on the deployment, would result in real pressures to remove nuclear weapons and deal a very severe blow to the NATO alliance.

Senator SARBANES. Ambassador Earle.

Ambassador EARLE. I would agree, Senator Sarbanes, with everything Ambassador Dean just said, including his view of Dr. Van Cleve's history.

The Europeans would still today like to have seen the SALT II ratified, and they certainly want to see this treaty ratified. We cannot go on continuing to be such an unreliable partner, in that we negotiate treaties, request and almost demand their support for them, and then fail to ratify them ourselves.

I think it would be a great blow to the alliance.

Ambassador WARNKE. I certainly agree with both Ambassador Earle and Ambassador Dean. I think back, Senator Sarbanes, to late 1977, when I talked with the then Chancellor Schmidt, and he was gravely concerned about the SS-20 threat.

He wanted us to negotiate to eliminate that threat. We have now done so. For us to go back on our word it seems to me would put us in an extremely awkward position, and it would forfeit our leadership of NATO.

Senator SARBANES. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much.

Senator LUGAR.

Senator LUGAR. Thank you very much, Mr. Chairman.

Ambassador Earle, I want to center on your testimony for my comments and questions, because it raises a point on which I would like further comment. In your testimony on the first page, you indicate unequivocal support of the Treaty and, although you have a balanced statement in terms of strengths and weaknesses of the treaty, I certainly commend the reasoning that you have adopted.

After stating that "I urge its swift ratification as signed on December 8," you note: "The treaty must not be weighted down with crippling amendments which, far from strengthening the treaty, would only serve to halt the current arms control momentum in its tracks."

Then I come down to the next to the last page of your testimony, in which obviously you are disturbed about the problems of Judge Sofaer's opinions and his interpretation of the ABM Treaty.

And I understand that; this is an argument that we have been having at some length. The DoD authorization bill last year allowed for several months of argument on this subject.

The chairman of the committee, Sam Nunn, feels very strongly about it and so do many other Senators.

Now, the problem that I have is with your conclusion, and I quote: "I understand some Senators are considering the condition on Senate consent to ratification of the INF Treaty which would forbid a future interpretation without corresponding Senate approval."

And you say: "I support adoption of that condition, and one would hope the administration would also accept without opposition."

I think that is unlikely, and while it is a very important argument, it may in fact become more important than the treaty. And I will just share with you the thought that those who support the treaty—and I am one of them—believe that it is an important contribution to our national security.

It may also be that resolution of the issues growing out of the ABM Treaty interpretation controversy and its impact on SDI is also important.

But the combination of these two issues could serve as a stopper of the whole ratification process. And this is why I take time out this morning to warn that we could have a very partisan battle on our hands. We have already had the opening salvos in that battle and the emerging battle lines may not add up to two-thirds for ratification of the INF Treaty.

Now, one can say surely that disagreement over an "interpretation" amendment would not stop something as important as the INF Treaty. But if you sincerely believe in your heart that Judge Sofaer was so wrong that he must be stopped, even at the sacrifice of the INF Treaty, then non-ratification might be the result.

Now, this is why I am hopeful that those who come as friends of the treaty and of arms control think carefully about an "interpretation" amendment. In your own judgment, this issue may be so important that it supersedes the treaty, but I simply want to raise that question and ask you to evaluate your testimony in light of what I have said.

Ambassador EARLE. Thank you, Senator Lugar. I share almost all of the comments and views that you have just expressed.

But the question, as I see it, is not just a matter of principle. Of course it is that, but it is also a practical matter. When you say save the treaty, preserve the treaty, what treaty?

You have sat here through days and days of hearings listening to administration witnesses tell you what the treaty means. And you, I hope, will vote for it. But you are not protecting that treaty from what may happen to it 5, 10, or 15 years from now when Son of Sofaer is in the State Department and chooses to reinterpret it in a fashion that is completely inconsistent with the meaning of the treaty as you read it today and as it has been testified to this committee by the administration witnesses.

So I do not think it is a question of destroying the treaty. I think it is a question of preserving the treaty, the treaty that you understand or believe that you are voting for.

Senator LUGAR. I understand that point of view. I also understand we have a serious debate in this country on the SDI, and particularly the testing of the SDI, and that proceeds, too.

I think one could argue, if you argue on behalf of Judge Sofaer, that he was asked by the Secretary of State or by the President to take a look at this situation and to see in fact whether our SDI program could proceed along the lines the President or others wanted it to proceed.

Now, the Congress can stop that and has in a way. As I understand it, the budget submission by the President, as reported by the press, indicates that the requested programs will remain within the so-called narrow interpretation. But the issue is still out there, and it is a public issue of some import.

And I understand that you could argue that the proposed interpretation amendment or the condition really has almost nothing to do with the ABM/SDI issue. Rather, it has to do with for all time with the validity of treaties.

I would simply say that, unhappily, all of these arguments and issues have gotten scrambled in a way. There are issues that have been raised today that are important ones, I suspect: How does NATO feel about this? Does the Treaty undermine the conventional balance in Europe? Can you ever trust the Soviets at all?

These are important questions in trying to weigh this treaty. I am trying in my own way to separate those issues that have to do with the INF Treaty per se from the more general issue about the trust in the President, the Congress, treaties, and the broader constitutional issues.

Now, maybe we cannot do it, but I hope we can, because it is very important if we are to give this INF Treaty a fair hearing.

Ambassador EARLE. Well, that was going to be my response, Senator Lugar, that I think it is inextricable. The fact of the matter is that the understanding that I would support would be limited to this treaty, obviously a precedent which would not make the administration happy about the ABM Treaty.

But the fact of the matter is that you know as well as I that the ABM treaty and this Treaty provides for withdrawal. And I think that if an administration determines that it is in the national security interest of the United States to go forward with the testing which in my view is prohibited by the ABM Treaty, and indeed the deployment, which even Judge Sofaer concedes is prohibited, then I think the administration ought to face the matter squarely and address it with the American public and with Congress and invoke the withdrawal clause, which among other things requires that it give notice of the extraordinary events related to the subject matter of this treaty which has jeopardized its supreme interest.

If they are going to do it, then they should do it openly and without the subterfuge that has been suggested by Judge Sofaer. I suggest that if you adopt the understanding here, which can be done with a 51 vote majority, it will affect this treaty, albeit as a bad precedent for the other. But let us get on with it and protect this treaty while you have it before you and not have to do it 15 years hence.

Senator LUGAR. That is a logical challenge, and I appreciate the sincerity with which you make it. That is, we would withdraw from the ABM Treaty if we feel it in our national security interests to do so.

Now, the consequences of doing that are very substantial, too. And to throw out that challenge in order to sort of tidy up the logic, is another serious question all by itself. In other words, it may be that ultimately critics of the Sofaer position will get their wish, that somebody may suggest we simply withdraw from the ABM Treaty.

I would hope that critics of the ABM Treaty would not take that position very readily or rapidly. Outright abrogation of the ABM Treaty would be a very serious thing.

And this is, I suspect, why the issue of whether various tests deemed important to the SDI program can be conducted within the terms of the ABM Treaty, has generated so much interest in both political parties.

My plea today is that we seek to find ways of disposing of this issue other than amendments or conditions to the INF Treaty. And I appreciate your indulgence in this colloquy.

Thank you, Mr. Chairman.

Ambassador DEAN. Senator Lugar, could I just add a comment? It seems to me that, without getting into the legal side, of which I understand the main issues, that there is a recourse here. The administration has now put forward a treaty draft providing for withdrawal from the ABM Treaty under other conditions. It could still maintain the ABM Treaty as ratified by the Senate and have a possibility of withdrawing from it in a limited period of time to test as it wishes. So, that the problem can be resolved in another way.

Senator LUGAR. Thank you.

The CHAIRMAN. Thank you very much.

Senator Cranston.

Senator CRANSTON. Thank you, Mr. Chairman.

Since the matter of Cuba has once again been brought up in this hearing, I would like to review the record briefly. In regard to any written understanding with the Soviet Union on matters relating to Cuba, the public record clearly indicates that there is no formal agreement between the United States and the Soviet Union.

Each side understood what the other meant when the Cuban missile crisis occurred, and when it was worked out each had a good general knowledge of what the other side would and would not accept. But these agreements were not put down on paper or formally expressed even orally.

Second, the United States objected to offensive, meaning nuclear, weapons in Cuba. The Soviet Union removed them in 1962, but they did not promise, nor did we press them either, to remove all Soviet military personnel or not to introduce others in the future.

Third, each side has felt free to refer to the earlier exchanges when it has seen fit, but neither has limited its action to the terms of these ambiguous, unwritten, informal understandings.

And fourth, Cuba did not take part in the 1962 negotiations, did not like the result, and did not publicly give any assurances to the United States. Cuba said that it would not attack the United States or other nations, but it did not offer assurances about refraining from revolutionary activities.

As to being able to monitor what goes on in Cuba, I went into that when the Chiefs of Staff were before this committee. General Welch, Chief of Staff of the Air Force, testified:

I think I can assure you that there is probably no place outside of the United States where we have more national technical means to monitor than Cuba. And there is probably no place that we look at more frequently than Cuba. So, I would think that, yes, I can state that we have high confidence that we would know whether or not there are Soviet missiles in Cuba. And I really cannot say any more than that in open forum.

I asked Admiral Crowe a question along the lines that we detected the Soviet missiles in 1962 in Cuba, when our monitoring capacities were far less sophisticated than they are today, and then I asked him, Is there less reason to believe we can do it now?

And Admiral Crowe said "No," indicating confidence that we would know what is happening in that country.

In regard to verification generally, although Dr. Van Cleave has raised questions about it in another hearing, I asked the three people most responsible for intelligence for our country at the present time—Judge Webster, Director of the CIA; Lieutenant General Parutz, Director of the Defense Intelligence Agency; and Lieutenant General Odom, Director of the National Security Agency—this question: Do you believe that you can give the policymakers adequate intelligence information to enable them to decide whether there has been a violation of this treaty?

And the answer from all three was "Yes, we have that capacity."

And so I think the expert testimony that has been given to us by those most responsible for verification is that we can adequately verify this treaty.

Dr. Van Cleave has made repeated statements that the failure of the Senate to ratify SALT II greatly strengthened the alliance in Europe, and I would like to ask others on the panel to comment on that statement, first starting with you, Mr. Warnke.

Ambassador WARNKE. I think that one of the factors that led the administration to commit itself to abide by the SALT limits was that that was the unanimous wish of our European allies.

I think that they have been disquieted by the fact that the administration has now exceeded one of those SALT limits. They live cheek by jowl with a very, very difficult neighbor. They want that neighbor to be constrained. SALT does constrain the Soviet Union. They are still abiding by its terms.

And I believe that our European friends would think that we had lost our senses if at this point, having scored a victory, having scored a victory in proportions that I never predicted, we were now to forfeit that victory. As I say, I think it would seriously, irrevocably damage us as the leader of the NATO alliance.

Senator CRANSTON. Thank you.

Ambassador Earle.

Ambassador EARLE. Well, I would be brief, Senator Cranston, and simply summarize the testimony I gave before this 8½ years ago. I met repeatedly with the NATO allies prior to and during the negotiations and prior to the signature of the SALT II Treaty, and met with them thereafter and reported to this committee both in open session and in greater detail in executive session that they supported it wholeheartedly.

As Ambassador Warnke suggests, the failure for it to come into effect disturbed them considerably. And I do think that they were pleased that the administration, at least for 5½ years, took the stance that it would abide by the passive provisions of the treaty.

I think there is no question that they were disturbed by it and unhappy about it and wished that we could do it all over again in a different fashion.

Senator CRANSTON. Ambassador Dean.

Ambassador DEAN. Yes. Certainly, the European governments, all of them, the NATO governments, were very seriously concerned when we suspended the ratification proceedings. They pressed the new administration for resumption again and again.

And Chancellor Helmut Schmidt was so seriously concerned about the situation that he, in discussions with Brezhnev, did get the latter's agreement to begin separate negotiations rapidly at least on the INF question.

Mr. SCHNEIDER. I have had a different experience. During my 4 years in the Department of State, I had many occasions to meet with leadership of NATO countries and found those I discussed the matter with quite pleased with the fact that the Congress did not ratify the SALT II agreement and thought that the consequences of that nonratification were beneficial to the alliance.

I think the difference between the perceptions of myself and Ambassador Warnke and Ambassador Earle reflect the fact that there are different governments in Europe. The Schmidt government was dumped in 1982. There was a new government in France after the 1981 elections. Mrs. Thatcher came to power in the late seventies.

All of these reflected, I think, a different state of mind in Europe between the late seventies and the 1980's, and I think that that may account for why European opinion turned around in the early eighties and supported the policy that the current administration undertook to move on to a different concept, away from seeking mere limitations on arms—the approach in SALT II favoring instead reductions, which is what we have achieved under the INF agreement and I think will achieve in START.

Dr. VAN CLEAVE. Senator, may I clarify the statement, since I seem to be the target of all of this?

First of all, without backing down from my judgment which I continue to support, I did not say the SALT II agreement led to this new cohesion and strengthening. I said that new cohesion and strengthening took place in the aftermath of our failure or refusal to approve the SALT II agreement rather than the more apocalyptic political calamities that were being warned about at the time and that, therefore, we have an experience that one ought to take into account when one is considering similar contentions today.

I have no doubt that this is a delicate situation. As to the NATO allies' public positions, we all know the NATO allies take these public positions, and we know why they do it. What else are they to do when their chief ally and their chief enemy both urge them in the same direction? The pressures are there, and we put pressures on them continually. We did in the case of this INF agreement.

But we all know, I think, that private discussions with some of those very same leaders as well as other influential Europeans commonly bring out grave concerns that they wish to see addressed. Those concerns, again, may be things that would be handled not necessarily by your withholding of consent to ratification but by such actions as delaying it until you see what a START agreement looks like, or amending it, or such things as legislating your support for theater modernization programs such as the Montebello decision modernization, and the like.

Senator CRANSTON. That is putting it somewhat differently. I suppose you might say that when SALT failed to get through the Senate, there was some disarray, and as a consequence the allies felt it necessary to take some new steps to show solidarity in the absence of a plan to move toward arms reductions. When the arms reductions failed, we had to take another course.

I would like to add on the matter of what happened to that treaty, you said it did not have the votes in the Senate. It was, as Senator Sarbanes pointed out, reported favorably by this committee. I was one of those leading the effort to get the votes in the Senate. I was counting the votes.

I believe the votes were there for the treaty on its merits until the Soviet Union invaded Afghanistan. After that, it probably would have been very difficult to get it through the Senate but not on the basis of the merits of that treaty but because some people were reluctant to vote for a treaty with the Soviet Union right after they had invaded another country.

That was an extraneous matter having nothing to do with the merits of the SALT II Treaty.

Dr. VAN CLEAVE. Your committee, sir, did suggest 23 changes in the agreement, and there were others that were only narrowly defeated that surely would have been brought back up on the floor. Others, such as Senator Moynihan, are, in fact, on record as stating that the votes were not there.

Senator SARBANES. Mr. Chairman, I would just want to add for the historical record the observation that the Soviets, interestingly enough, have repeatedly made the argument that the treaty would not have been approved and that the difficulty was not their invasion of Afghanistan that stopped the arms control process.

I happen to think it is important to make it very clear that that regional adventurism on the part of the Soviet Union in Afghanistan was, in fact, the proximate cause of removing the SALT II Treaty from the Senate calendar. Had that not happened, the treaty would have been considered and may, in fact, have been approved.

Of course, we will never have the definitive answer to that question, but I think the significance of the Soviet actions in Afghanistan should not be dismissed, as the Soviets have sought.

The CHAIRMAN. Thank you, Senators Sarbanes and Cranston.

I would add that my own recollection is exactly the same as you have outlined.

In connection with the modernization of NATO's nuclear weapons, the Germans, as we know and can sympathize with them, would like to reduce and eliminate perhaps more the short-range nuclear weapons because they are the battlefield. One can understand that.

On the other hand, the United States and Britain and other NATO countries are pushing for the modernization of these weapons, not their elimination.

How do any of you feel we should resolve this very delicate issue?

Ambassador WARNKE. I feel, Senator Pell, that this is a decision that has to be made within NATO. I think it is a decision that ought to be made primarily by the Western Europeans. If they want a modernization of the Lance, we ought to go ahead and modernize the Lance.

I do not believe that the next step in arms control negotiations ought to be to deal with the tactical battlefield nuclear weapons. They raise too many thorny problems with regard to extended deterrence and flexible response.

I think, in addition to that, that before eliminating these short-range nuclear missiles and artillery shells and so forth, ranges below 500 kilometers, we ought to address the question of the conventional force posture in Europe. It seems to me there are trade-offs that can be made between the two, and that rather than getting into this entire very difficult problem of denuclearization of Europe, we ought to address the conventional force balance first.

Unlike the INF, the tactical battlefield nuclear weapons would never be used except in the event of a massive conventional Warsaw Pact invasion of Western Europe, so that they do not pose the usual first strike questions.

I do think that they serve some purpose in terms of deterring conventional attack, unlike strategic weapons or intermediate-range nuclear forces.

Accordingly, as I have said before, the consideration of these battlefield tactical nuclear weapons, weapons with ranges less than 500 kilometers, ought to be done in the context of a restructuring of the conventional forces in Europe, a moving away from offensive capability.

This would require asymmetrical reductions on the part of the Warsaw Pact, and I think that is one of the reasons why we could use the tactical battlefield nuclear weapons as part of the bargaining process.

The CHAIRMAN. Thank you.

Dr. Schneider.

Mr. SCHNEIDER. Thank you, Mr. Chairman.

I disagree somewhat with Ambassador Warnke on this point. I think the modernization of our theater nuclear forces are very important not only for NATO, indeed not even especially for NATO, but for the protection of our own forces in Europe.

With the removal of the Pershing II and ground-launched Cruise missiles, the Soviets have an opportunity to concentrate their second echelon forces in a way that improves the efficiency and dominance of their conventional forces.

The notion that one can achieve reduction in conventional forces anytime soon I think is rather naive, given that we have been in Vienna on the MBFR negotiations for more than 14 years and have been unable to agree on a data base on which the negotiations could proceed.

I think if we are going to achieve success in conventional negotiations, it is important that we modernize the short-range nuclear forces so the Soviets are not able to gain a diplomatic advantage out of their conventional military preponderance.

The CHAIRMAN. Thank you.

Dr. Van Cleave.

Dr. VAN CLEAVE. I would like to make a statement somewhere in between the two previous statements. I do agree with most of what Mr. Warnke says about the short-range systems. I would like to see them retained. I would like to see them modernized in ways to reduce collateral damage and in ways that we had planned to do in the 1970s and planned again to do at the 1983 Montebello decision. I think that is very important to do.

I believe we need to work on the conventional balance both by strengthening our side of it and trying to come to agreements that would reduce their side, but, like Dr. Schneider, I see no very favorable prospects for doing anything like what is necessary.

While I share the view that the short-range systems are of utmost value in deterring a conventional or a nuclear attack and of utmost value in defending against one, I would still say that we need weapons something like the Pershing II that we took out, because they had a particular targeting capability that we no longer have. The aircraft are not suitable for that role.

This was a decision that the alliance made deliberately in the 1970's and again in 1979. The alliance concluded that with Soviet defenses are such that aircraft are inadequate, and so are sea-based

systems. INF missile systems in Europe are required. I certainly do not think we should increase our reliance on U.S. strategic forces for that role.

The CHAIRMAN. Thank you.

Ambassador Dean.

Ambassador DEAN. Senator, there is an acute problem with German opinion. There is no doubt that, throughout the political spectrum in Federal Germany, German public opinion opposes modernization and desires the elimination of the shorter range weapons.

I think if argument is allowed to continue on this issue within NATO, it will have very serious effects on NATO cohesion. We have to seek some kind of compromise whereby Federal Germany agrees to a certain amount of modernization and other NATO members agree at a later time to negotiate the lower of levels of nuclear-capable delivery systems, both missiles and aircraft.

We should see first if the Soviet Union is serious about reducing conventional weapons, but it should be possible as a part of an overall package which provides for large and asymmetrical ground force reductions by the Warsaw Pact, to include nuclear-capable aircraft and to bring the Soviet superiority in short-range missiles down to an equal lower level with that of NATO.

This could be done in a separate negotiation between the United States and the Soviet Union, which results could be meshed in with those of the talks on conventional reductions.

The CHAIRMAN. Thank you.

Ambassador Earle.

Ambassador EARLE. If I could make one brief comment, Mr. Chairman, there seems to be sort of an unreality to me about the discussion that is going on. We are addressing the question of How do we replace the military capability that we are removing through this agreement?

As Ambassador Warnke said at the outset, the name of the game is to reduce the risk of nuclear war, and if we are going to oppose or question every arms control agreement because it reduces military capability, we are never going to have an arms control agreement. That is the point.

The point is also that it should be done in an even fashion and that as our military capability comes down, so does that of the Soviet Union.

That is my only comment. I have nothing to add to the other comments that have been made here.

The CHAIRMAN. Just following up one thought of yours, Ambassador Earle, you say the point of all arms control measures is to avoid nuclear war, but is there any disagreement on the part of anybody in the panel that if this policy fails and there is nuclear war that human life in the Northern Hemisphere would be pretty well extinct? Is there any disagreement?

Ambassador EARLE. I do not disagree with that.

Dr. VAN CLEAVE. I cannot accept it, especially without knowing everything else that needs to be known—how many weapons are used against what, and how, and so on.

The CHAIRMAN. A full exchange.

Dr. VAN CLEAVE. I do not believe that that is the case.

The CHAIRMAN. You do not.

The rest of you would? Great.

Mr. Schneider, I think, has a comment.

Mr. SCHNEIDER. I think human life would not be extinct in the Northern Hemisphere. It would be a tragedy of unparalleled proportions, to be sure, but because of measures as Dr. Van Cleave referred to earlier where we have unilaterally eliminated 2,400 nuclear weapons in the past several years and our nuclear arsenal has been reduced by more than one-third from what it was during the Kennedy administration. I think that the concept that you have described would not be, strictly speaking, accurate.

That, by no stretch of the imagination, justifies any letting up of our efforts to control nuclear war or control the risks of nuclear war which, I agree with Ambassador Warnke, is the object of this exercise.

The CHAIRMAN. Thank you very much.

Senator Helms.

Senator HELMS. Mr. Chairman, the Soviets and the United States have also agreed to abide by SALT II. The United States did abide by it. The Soviet Union has cheated all over the line.

I do not want to rain on the parade of the euphoria which followed the PR performance here in December leading to statements such as one made by a witness here yesterday that there is no reason to believe that the Soviets will not comply with this INF Treaty. Let us see about that. Let us see what they are up to.

On October 15, 1985, the Soviets conducted a rocket explosion over Finland, which is a pretty well-known fact in some circles in this town, but it has been virtually ignored by the media.

There was a story in Aviation Week and Space Technology on April 16, 1986, which said that the explosion was observed and photographed by two photographers who are members of the Finnish Ursa Astronomical Association.

Now, the Aviation Week article continued: "At 20 minutes past midnight while they were photographing meteors, one in Turku, southwestern Finland and the other in Jamsa, central Finland, they saw a rocket rising over the eastern horizon. They followed the trail for a few minutes, when the rocket seemed to disappear. A moment later it reappeared and exploded in a ball of fire. The ball spread, then faded in about 10 minutes.

"At about 4 a.m. a bluish cloud appeared on the eastern horizon. It was believed to be connected with the explosion, and it spread slowly until it appeared to fill nearly half the sky by dawn.

"Finnish astronomers have observed dozens of launches from Plesetsk, which is about 500 kilometers, 310 miles, east of the Finnish border.

"Rockets crossed the horizon at an altitude of about 12.5 miles. This apparently was a barium cloud experiment, which accounts for the bluish cloud."

Now, a few months later the Washington Post did publish a commentary by Evans and Novak on December 5, 1986, that the experiment was actually a basic antiballistic defense system. The mysterious white light, this commentary said, may be millions of tiny fragments or pellets of steel released from a warhead to destroy incoming missiles. Officials were quoted as saying, "it might work if

pinpoint radar targeting of attacking missiles can be achieved with the Kremlin's new triple-tiered radar system.'

This is what I am getting to. Experts believe that Soviets have tested both SS-20's and SS-4's in ways which could be interpreted as ABM mode tests for the systems. They have launched many of these missiles toward arctic targets such as Novaya and Zembya. In midflight, these missiles and their payloads are then mysteriously exploded, creating a phenomenon that has been dubbed "the dome of light."

Now, the dome of light leaves multiple particles in space and the upper atmosphere which persist for many hours at high altitudes, condensing clouds of ice particles. These particles reflect over the horizon light after the fashion of the Northern Lights.

More importantly, they create a temporary curtain which shatters incoming missiles through kinetic energy. This may be described as sort of a crude version of an ABM, but it could provide protection for a few hours.

Now, I mention all this because there is such reluctance and breastbeating in the Congress about the President's strategic defense initiative.

My question to any of you, Bill Schneider, Dr. Van Cleave, is, Do you believe that this test was associated with the Soviet tests of the SS-20 and SS-4 in ABM modes?

Mr. SCHNEIDER. Senator, I am not familiar with this particular experiment, but we do have a very extensive data base of the Soviets conducting ABM-related experiments, some of them in violation of the 1972 agreement.

I think the President has referred to these experiments in the compliance reports that he has made to the Congress.

So if this occurred, in my judgment it would not be consistent with their obligations under the 1972 agreement, but it would not be behavior that we are not already adjusted to on the Soviets' part.

Senator HELMS. What are the implications, assuming the accuracy of all of this? I believe it is accurate. What are the implications for this INF Treaty?

Mr. SCHNEIDER. If this in fact is part of an effort to use offensive missiles in an antiballistic role, it could have some important implications from the Soviet perspective if they are seeking to deploy a new type of antiballistic missile defense.

If they are trying to deploy an antitactical ballistic defense not covered by the ABM Treaty, and they could do so if they intended; since we do not have a good count on the number of nondeployed SS-20's, this could provide a covert ballistic missile defense capability.

Senator HELMS. There has been a lot of confusing testimony about the SS-20 and the SS-25. The SS-25, of course, is not covered by the treaty. The SS-25 is, what, 10 feet longer than the SS-20? Nobody seems to know for sure whether the SS-20 can be put in an SS-25 tube and that sort of thing.

Then there is a lot of obfuscation about a very relevant point in this treaty, that being that the warheads are not destroyed. I have never heard such specious explanations as to why that is good for anybody.

Now, the warheads will kill you. That is what destroys lives and property and all the rest of it. When I mentioned it to the Secretary of State, however, he got off on a tangent that we are talking about fissionable material and so forth.

We are talking about warheads, because the missiles themselves are going to be destroyed after the guidance devices and the warheads have taken off. They cannot kill anybody unless they fall on somebody's head.

Let me move on about the SS-25 bases. I want to ask you a question.

Article 12, paragraph 3 provides us the right to request the Soviets to participate in cooperative measures at SS-25 bases during the first 3 years of the treaty; is that correct?

Mr. SCHNEIDER. That is correct.

Senator HELMS. Now, specifically within 6 hours of such a request, the Soviets must open the roofs of all fixed structures and remove all missiles on launchers from these structures and display the missiles on launchers.

Now, 6 hours is a right good spell of time, as they say in North Carolina. Would this afford the Soviets the opportunity to remove any covertly deployed SS-20's?

Ambassador SCHNEIDER. I have not studied the matter, Senator, but my guess would be if they could remove the missiles and their transporter or erector or launcher during a time when we did not have an ability to monitor those, that they would be able to move them, since the SS-20's, for example, were designed to operate up to 100 kilometers from their bases.

Senator HELMS. What is going to be displayed under all of this for satellite inspections, the missiles or the canisters?

Dr. VAN CLEAVE. It is not entirely clear to me. It seems to me to be one of the major points of the agreement that needs clarification.

I support Dr. Schneider's statement on this, but I also remind you as well that since SS-25's are not covered by the treaty at all, they may choose to show us SS-25's, which are allowed and have a variable SS-20 range.

Senator HELMS. They are short range or long range.

Dr. VAN CLEAVE. They can be either and both.

Senator HELMS. That is right.

My time is up, Mr. Chairman. Thank you very much.

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. Dr. Van Cleave, even though you feel that a full nuclear exchange might not destroy all life on this planet, what do you think life would be like in this country if we had a full-scale exchange with the Soviet Union and each of us used the bulk of our 50,000 nuclear warheads?

Dr. VAN CLEAVE. Senator, you are asking me one of these hypothetical and loaded questions which are designed to make the course of nuclear war seem to be inevitable despite our best attempts to assure that those types of things do not happen.

Senator CRANSTON. I said nothing about inevitability. I said if it happened.

Dr. VAN CLEAVE. If it happened, it would be terrible. If you are asking me what I think would happen if both sides start dumping

megaton-like weapons on cities, the effects would be terrible. What else could I say?

Now, having said that, let me repeat what Dr. Schneider said. All of our plans for using these weapons are to use them in ways that do not produce those types of exchanges and those types of effects.

We have lessened the yields. We have lowered collateral damage. We have restrictions on where they may be used and so on and so forth, and we are striving to get more accuracy so we can do even more of that.

Senator CRANSTON. Well, we obviously are trying to prevent what you call terrible from happening.

Dr. VAN CLEAVE. That is the whole issue. Describing the possible horribleness of these scenarios obviously does not answer the question of how best they might be prevented.

Senator CRANSTON. I fully agree, but I think we should know what we are wrestling with and what the dangers are if we fail and if we fail to make progress on treaties that are designed to reduce the danger.

I would like now to get to the matter of alleged Soviet violations of treaties. We have heard charges from various sources that they violate every treaty, that there are gross violations of all sorts.

I have done my best in the Intelligence Committee and on this committee and in other ways to try to learn what the summary situation really appears to be in a more accurate and defined sense. I would like to state my understanding and then ask you for comments.

It appears that there is one violation; that there is just about total agreement that what the Soviet Union is doing is a violation of the ABM Treaty, and that is the Krasnoyarsk radar.

The ABM Treaty permits a large phased radar like Krasnoyarsk to be used for space tracking and national technical means of verification, and that is what the Soviets assert they are doing. It appears to us to be primarily designed for ballistic missile detection and tracking which is prohibited by the treaty.

The Soviet Union did permit Members of Congress accompanied by staff experts to visit Krasnoyarsk last year and take a look at it.

Dr. Sidney Drell testified before our committee just yesterday that Krasnoyarsk would not work for purposes that violate the treaty and that it was not built in ways that obviously mean that it was designed to violate the treaty.

The facility has not been completed, and the radar is not operational, so it actually has not been put into actual working condition at this stage, but I gather we do view that as a violation.

The second main charge regards SS-25's. SALT II allows each side to flight test and deploy just one new type of ICBM. The Soviets officially informed the United States that the SSX-24 would constitute their new type missile. In deploying the SS-25, the Soviets claim that it was not a new type but a follow-on to the SS-13.

We tend to believe that is not an accurate description, but it is my understanding that it is not totally clear and is a somewhat ambiguous charge.

Let me add that the SS-25 is a violation of SALT II, a treaty that we have never ratified, a treaty that this administration told the

Soviet Union we did not intend to ratify when it took office, and a treaty that we have violated.

The Senator from North Carolina said that we have not violated it, I believe, but we have. We violated it specifically in the 1320 ceilings on ALCM's, where we built more than are allowed under SALT II.

Third, telemetry encryption is again an alleged violation of SALT II, a treaty we did not ratify. SALT II prohibits the encryption of missile test telemetry to the extent that such encryption interferes with our ability to monitor compliance with the treaty.

You could argue the treaty is not clear with respect to how much encryption is permitted, and that that is what leads to some ambiguity about this charge, whether it is or is not a violation. We assert that it is. The Soviets assert that it is not. I think both sides can be argued.

Point 4 is perhaps a somewhat less significant violation. Venting of nuclear waste in the atmosphere is a violation of the Limited Test Ban Treaty.

That treaty prohibits nuclear explosions in the atmosphere and outer space and under water. It also prohibits nuclear explosions in any other environment if the explosions cause radioactive debris to drift outside one's territorial limits.

There is evidence that the Soviets have engaged in underground nuclear test practices that have resulted in venting radioactive matter outside their territory, but that may well have been an accident and not a deliberate violation. We are not certain of that, but again I think that that is perhaps an ambiguous charge.

I would like now to ask each of you to comment. Is that an accurate portrayal, or is it not? Are there other charges that are serious, and is the analysis I have just given of these charges regarding the ambiguity about some violations of treaties we never ratified another factor to consider?

May I start with you, Ambassador Warnke?

Ambassador WARNKE. Those, I believe, Senator Cranston, are the principal charges that have been made. I would agree basically with your characterization of them.

In my opinion, the Krasnoyarsk radar is a violation of the ABM Treaty. I think it has an early warning capability, and it is in the wrong location. Now, the Soviets maintain it is for space tracking, but it seems to me that if it has an early warning capability, which appears to be the case, that it is inconsistent with the ABM Treaty and should be taken down.

With regard to the two charges with respect to SALT II, unfortunately these relate to provisions of the treaty that are not as clear as they ought to be. We knew that at the time. There were arguments within the administration that they should have been made clearer.

We at one point had a new types provision with respect to which the application of the treaty would have been much clearer. We wanted, however, to have some wiggle room ourselves. We wanted to be able to engage in modernization of existing missiles; therefore, we proposed a looser version.

Now, I do not know since I do not have the intelligence data, whether the SS-25 does fit within the somewhat loose provisions of the new type part of the SALT II Treaty.

At one point I believe Secretary Shultz testified that, taking a technical lawyer's view of that provision, the SS-25 might fit as not being new but an improved version of the SS-13. Well, both Ralph Earle and I are technical lawyers, and I suppose that that is the way we could read the treaty, too.

With regard to the provision on encryption of telemetry, there was a debate within the Carter administration as to whether we should go for a total ban. It was concluded by the Defense Department that they did not want a total ban on encryption of telemetry; therefore, we have a provision that is quite subjective. What it says is, "You cannot encrypt telemetry that will impede verification."

Now, the question is how do you read "impede"? In my opinion, the encryption that has been done, to the extent that I know what has been done, does make it more difficult to verify; and accordingly, I would take the position that that does impede verification. It does not make verification impossible, but it impedes it.

Senator CRANSTON. Did you say we did not want a total ban?

Ambassador WARNKE. Yes. The specific decision was made not to go for a total ban on encryption of telemetry.

With regard to the venting of radioactive substances during underground tests, that has taken place occasionally. It has taken place in our tests as well as theirs.

Senator CRANSTON. May I go to Dr. Van Cleave now?

Dr. VAN CLEAVE. Certainly. The way this has been portrayed—

The CHAIRMAN. Excuse me for interrupting. My time starts now. I think this is very important, and I would suggest that we continue.

Dr. VAN CLEAVE. You wish me to respond?

The CHAIRMAN. Yes.

Dr. VAN CLEAVE.. The way this has been portrayed by you, Mr. Chairman, and Mr. Warnke, puts too great an element of question and uncertainty on the matter. It ignores the fact that all agencies of the U.S. Government in examining this evidence have agreed upon the fact of these violations, to the extent that the President of the United States has been able formally to declare that a systematic pattern of violations does exist.

Now, some of these violations are termed "probable violations," but we all know the reason for that, and Mr. Warnke commented on it, and that is the fuzziness and ambiguity of the language that is in some of these agreements and that is in this INF agreement again.

I think one need not be too cynical to understand the reason why we have such ambiguities in these agreements. They are there because the Soviets wish them to be there in order to exploit them to circumvent the agreement, and they are there because the United States accepts them in order to get an agreement. We need to be more careful and meticulous about this particular type of drafting of these agreements, and this particular approach to them.

There are other violations, or probable violations, of the ABM Treaty in addition to the Krasnoyarsk radar, having to do with

mobile ABM systems components, having to do with concurrent ABM and SAM testing, having to do with rapid reload capabilities, and essentially, more importantly, having to do with the prohibition against developing a base for nationwide defense.

Similarly, there are other violations of the SALT II agreement, including the Soviets being well over the aggregate ceiling very early on in this administration and over the MIRV missile ceilings as well.

Both sides assumed the commitment to abide by this agreement whether or not it was ratified at the time, and the United States finally said it was no longer bound by the terms of the agreement only after, one, it had already reduced systems to stay within the bounds of the agreement, and, two, it could no longer sustain that position because of the Soviet violations.

Senator CRANSTON. Ambassador Earle.

Ambassador EARLE. I would make just one comment, Senator Cranston. I agree with basically everything Ambassador Warnke said, but there is an interesting irony to point out here in terms of the administration charges of violation with respect to the SS-25 and the encryption of telemetry.

On the one hand, the administration says the Soviets are encrypting telemetry so that we cannot determine what their missiles are doing, and on the other hand they say that the SS-25 is a second new type because it violates 5 percent limitations on increases in certain dimensions and aspects of the missile.

It seems to me you cannot have it both ways.

Senator CRANSTON. Mr. Schneider.

Mr. SCHNEIDER. Thank you, Senator Cranston.

I am concerned about this line of argument, because I think that all of us who support an effort to achieve significant gains in arms control have to be very hardheaded, perhaps even merciless, about the question of compliance with agreements if we are going to sustain the support of Congress and the American people.

Senator CRANSTON. Let me say that I fully agree with that. We have to be able to verify. I believe we can, and we have to consider what steps to take if there is noncompliance.

Mr. SCHNEIDER. I am concerned, at least, about the way in which you put this, and let us take a couple of examples.

On the case of the Krasnoyarsk radar, first, it has been evaluated carefully by all of the relevant agencies in government. It is not possible to go to the site, examine the radar, and tell what its function is because the ability of a phased-array radar of that type to conduct either prohibited experiments or prohibited operations (such as battle management functions in a ballistic missile defense role or space tracking) are contained within the software, the computer programs that direct the operation of the radar. That cannot be identified by merely examining the physical configuration of the array.

Second, the equipment to put that radar on the air can be brought in in a few dozen trucks, simply bringing to the radar, electronic equipment and connecting it to the antenna.

So, the difficulty this system poses for us is that the Soviets have built this radar over the course of about 4 years, and it can serve as part of a base for a nationwide radar.

On the SS-25, we are able to identify through means other than telemetry that the SS-25 did violate the terms of the SALT II agreement on a new type. Although I cannot discuss it in an open forum, the throwweight differential is very significant between the SS-13 and the SS-25. The distinction is meaningful, and it is not in our interest to try to sweep these issues under the rug. Rather, we should be emphasizing them and insisting upon full compliance.

Thank you.

Senator CRANSTON. I, of course, concur we should not sweep them under the rug, but I think we should try to be analytical in what are and are not clearcut violations, and we should not exaggerate either by saying that they constantly violate everything or by saying that they never violate anything. I do not think either one is accurate.

Finally, Ambassador Dean.

Ambassador DEAN. Yes, sir, I think I would have said the same thing. We have had a few claimed violations against ourselves, the covering up of missile silos.

The Soviets themselves in connection with Krasnoyarsk, which is a violation, have raised the question of whether our projected radar at Fylingdales, which is an entirely new installation and physically separate from the present one, does not also consist of a possible violation.

I think the main thing is to attempt to learn from these disagreements, and I am very pleased to see that in the present START negotiations there has been tentative agreement to eliminate telemetry.

In both of these cases, the SS-13 and telemetry I think subsequent changes have been made in our own position which would permit elimination of ambiguities like those in the future.

Senator CRANSTON. Do you expect that agreements will be worked out, or are you saying there is an effort now that the Soviets seem to be going along with eliminating all encryption of telemetry?

Ambassador DEAN. Yes. At the Washington summit there was a tentative agreement at least in principle to eliminate all encryption of telemetry.

Senator CRANSTON. Thank you all very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

I would like to ask Ambassador Dean, who is an expert on the conventional forces and working in that pretty barren landscape for quite some time now, do you feel that there should be any linkage between the INF Treaty and the addressing of the conventional forces?

Ambassador DEAN. No, sir, I do not. I think the INF does represent benefits for both sides, certainly benefits for NATO security, as I tried to point out earlier. For that reason, I think it should be approved.

We do get some carryover benefits in any event for the conventional negotiations from the important asymmetrical reductions and verification, both of which were problems in the previous MBFR talks.

I think we are also going to get another benefit, a new and greater openness of the Soviets on the issue of data and information. I think they will prove much more willing than they have been in the past through the experience through which they have gone in INF to give us figures and facts which will make a new agreement on conventional forces more clear as regards compliance and verification.

The CHAIRMAN. Thank you very much.

I would now call on Senator Helms.

Senator HELMS. Mr. Chairman, I thank you.

From time to time I hear strange declarations about the U.S. culpability, and I am reminded of what Jeanne Kirkpatrick said about "blame America first."

The fact is that the United States and the Soviet Union entered into a political commitment in 1981 to comply with SALT II even though it had not been ratified. The United States abrogated this political commitment in 1986, but that was after at least 25 repeated confirmed Soviet violations of the Strategic Arms Limitation Treaty II, which we had agreed with the Soviet Union that we would abide by.

So, all this stuff about saying we are just as bad as the Soviets is a bunch of baloney, and I resent that kind of implication, let alone a declaration to that effect. There is no comparison of the duplicity of the Soviet Union with the activities of the United States Government.

I am highly resentful as a Senator and as a citizen of the United States of anybody who would imply to the contrary. I am sick and tired of it, and I hope I do not hear it again.

Now, then, Dr. Van Cleave, article 10, paragraph 5 provides each party with the right during the first 6 months after the implementation of the treaty to eliminate 100 intermediate-range missiles by means of launching.

Now, this provision is said to be necessary because the Soviets claim that without such launches, 3 years would not be sufficient in terms of time for them to destroy all of their missiles by normal means.

Do you believe this Soviet claim to be valid, Dr. Van Cleave?

Dr. VAN CLEAVE. That claim seems to me to strain credulity badly.

Senator HELMS. I am sorry, would you pull the mike closer.

Dr. VAN CLEAVE. That claim seems to me to strain ones credulity very badly, indeed.

Senator HELMS. Let us speculate a little bit. Is it possible for the Soviets to use elimination launches for reliability testing or for troop training?

Dr. VAN CLEAVE. Certainly.

Senator HELMS. So what advantages would the Soviets gain by using these launches for such purposes?

Dr. VAN CLEAVE. It could be an early circumvention of prohibition on flight testing.

Senator HELMS. Of course. Under this treaty, can we verify that the Soviets are not using elimination launches for these purposes?

Dr. VAN CLEAVE. Not to my knowledge.

Senator HELMS. Now, the protocol on elimination prohibits the transmission or recovery of data from launched missiles, except for encrypted data used for range safety purposes. Now, how would this restriction be verified?

Dr. VAN CLEAVE. It is one of several provisions that I see where I wonder the same thing: How could it be verified? There are several key parts of this agreement that cannot be verified with confidence.

Senator HELMS. And yet all the proponents come together, they say you must not change a jot or a tittle of this treaty, otherwise you will be unpatriotic. And it is as full of holes as a piece of swiss cheese.

Now, how could this protocol on elimination be circumvented?

Dr. VAN CLEAVE. Well, there are several ways to circumvent. I would prefer to comment on the general point.

One need not agree with my criticism of the agreement in principle. One may still believe the agreement sound in principle and still have every reason to try and tighten up the many ambiguities and loopholes in the agreement.

The American Enterprise Institute has done an initially good approximation or first cut of pointing many of these out. You are citing one example of them.

There are other major examples as well, such as the ability to convert an SS-20 base to an SS-25 base. So far as I know, without limit. Thereby we lose our onsite inspection rights on that base. There are many of these things, Senator.

Senator HELMS. Moving along, just so I can have an understanding, the committee received testimony that the Soviet confidence that any of the covert SS-20's, and I believe there are a whole gaggle of them, that the Soviet confidence in these covert SS-20's would decline over time without regular testing.

During the 8 years the Soviets covertly deployed, say, their SS-16's, did we detect any flight test of SS-16's?

Dr. VAN CLEAVE. No.

Senator HELMS. And Frank Carlucci, Secretary Carlucci, told this committee that we could go 3 years without testing our Pershing II's, and Cap Weinberger indicated that the Soviets could go even longer without testing their SS-20's because it has been so thoroughly tested in the past.

So, the question arises, and I would like for anybody to address it, how long can the Soviets go without flight testing the SS-20 while still maintaining some confidence in these missiles?

Mr. SCHNEIDER. Senator, I do not think that you can get an answer to that because we do not have access to the details of the manufacturing processes or the aging characteristics of the Soviet systems.

It may be shorter or longer. It is just not possible to tell with the data we have.

Senator HELMS. Well, as a matter of fact, we know just about nothing about the SS-20, let alone the SS-25.

You remember just before the fountain pens were withdrawn from the pockets to sign this treaty, our negotiators were still trotting around begging the Soviets to give us a picture.

You remember that, and then at the last minute they gave a picture of something behind a tree. I do not know whether it was a blownup cigar or what. So we do not know anything about that missile.

Ambassador DEAN. Senator, could I just comment?

Senator HELMS. Yes, sir.

Ambassador DEAN. My understanding of the matter that you just raised is that one needs the launcher and all of the attached equipment to be able to make military use of a SS-20 missile, even if they had concealed a missile somewhere which was undetected.

The missile cannot be just put upended and fired off. So, it does require a lot of ancillary equipment and other things, which are rather more observable than some individual missile.

Senator HELMS. I understand that. But I think he is going to answer that.

Dr. VAN CLEAVE. The particular launcher that the SS-20 has is there for a particular type of deployment, and the convenience of that deployment. It does not define the universe of launchers or launching capabilities or launching techniques for the SS-20.

I would remind you only that at one point of time we took a Minuteman III down to Florida and launched it from a sewer pipe with controls mounted on a jeep. So these Soviet missiles, as we know, come in canisters. The canisters can and, in fact, do contain most of the associated launch equipment.

And therefore with the proper power source there is no reason at all why they cannot be launched directly from the canister. Besides the fact that the SS-20 launcher is not going to be destroyed anyway; it will only be altered. Moreover, the SS-25 launcher can accommodate an SS-20.

Mr. SCHNEIDER. Senator, may I offer a footnote to that. The transporter erector launcher for the SS-20 is a variant of a vehicle used for logging operations that has other types of equipment on it that are unique to the SS-20 application.

But I think there is a legitimate issue that we need to attend to as part of our verification, and make sure we have the resources in our national technical means of verification to be able to find where these might be concealed.

Senator HELMS. The proposal is to cut 600 people away from the jobs of verification. I do not believe it is verifiable now, let alone the diminishment of the capability by reason of budget problems.

Mr. Chairman, my time is virtually up. Well, it is up. Thank you very much.

The CHAIRMAN. Thank you very much. Senator Cranston?

Senator CRANSTON. I would like to ask more questions but my time has run out. I would like to ask a question for the record, and if each of you would respond in writing.

On the matter of compliance, I would like to ask what you feel should be our policy, if there are violations of the INF Treaty? That is first. How should we respond?

And second, do you feel it would be advisable or inadvisable to spell that out in any reservation attached to the Treaty, in a non-killer mode? And I would appreciate your responses to that.

[The information referred to appears in the appendix.]

Senator CRANSTON. I would like to thank you very much.

Dr. VAN CLEAVE. Senator, I do not know if we can presume what that last phrase, killer or nonkiller mode, means. Can we answer the question without trying to determine that?

Senator CRANSTON. Well, I would presume that you would try to spell out, or I would ask you to try to spell out, if you can, how we would respond if there is a violation without making the treaty null and void, even before it goes into effect.

If you suggest that we pull out, if there are certain types of violations, I would understand that. But that would not be a killer at the outset.

Dr. VAN CLEAVE. You want something directed to American policy actions that do not require renegotiation or any agreement by the Soviets?

Senator CRANSTON. Yes. Thank you all very, very much. And thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Senator Pressler.

Senator PRESSLER. Thank you very much, Mr. Chairman. I apologize for my lateness in arriving here. As I have said before, serving on five committees, it is a matter of spreading one's time around in the mornings.

In any event, I would like to follow up on something I asked about yesterday, and that is the Soviets' violation of existing arms treaties. And I know yesterday we were told these only have marginal impact.

Yet President Reagan's reports on violation of SALT restriction note that a number of Soviet activities involving SALT constituted violations of the core or central provisions of the treaty frequently cited by proponents of SALT II as primary reasons for supporting the agreement.

I guess I would ask this of Mr. Schneider or Mr. Van Cleave and anyone else. What is your view? Are Soviet violations typically of marginal provisions? Or, as President Reagan described them, have they been core or central provisions?

Mr. SCHNEIDER. Senator, in my own view, these are violations that go to the heart of the agreement.

For example, the violations of the ABM Treaty, by way of illustration, and the use of antiaircraft missiles is a ballistic missile defense mode defeats one of the central elements of the ABM Treaty; namely that neither side would have more than a small deployment of antiballistic missile defenses in its territory.

I think this is an important policy problem to come to grips with. Namely, it is as if we are in a poker game and we identify one of the poker players as having cheated in the card game. And rather than do something about it, we simply invite him once again to play poker.

I think this has the effect of undermining the confidence of the American public in arms control agreements, and makes it more difficult for those of us who are trying to achieve them to get there.

And so, as I mentioned earlier to Senator Cranston, I think that henceforth we have to adopt a much more merciless posture with respect to violations of these agreements. We need to look at the precedents that we have from the past, as in the 1963 Atmospheric Test Ban Treaty, where we set up a series of safeguards, things

that the United States will do that will mitigate the adverse military consequences of noncompliance by the Soviets.

So, I share the concern that the President expressed, and the concern that was the consensus among the 15 or so agencies of Government that worked on the study of these violations.

Dr. VAN CLEAVE. I would certainly lend my support to everything that Bill says. I do not believe in this "insignificant" or marginal violation proposition at all.

It seems to me if the Soviet side is violating the provisions of agreements that the United States negotiated because they were important to United States national security, their violations of those agreements are also important to United States national security or else the agreements themselves in the first place were not. And I do not think that one can have it both ways.

Dr. Schneider's example of the ABM violation certainly has allowed them, along with allowable acts on their part, to build a basis for rapidly deployable nationwide defense.

Their second new type ICBM, which provides an unlocatable strategic reserve capability, is certainly important. And I believe that their use of chemical weapons was also important in many respects.

Senator PRESSLER. Let me address this question to anyone on the panel, particularly Mr. Schneider and Mr. Van Cleave.

On Tuesday we had a discussion with former Defense Assistant Secretary Richard Perle. We discussed the fact that the treaty apparently does not preclude further flight testing of missiles at intermediate ranges, so long as they are also flight tested at ICBM ranges.

He indicated the treaty does not stop or even reduce such flight testing. In your view, does this omission of a limitation on flight testing at these intermediate ranges represent a significant omission?

Is this a type of loophole that the Soviets would likely exploit?

Mr. SCHNEIDER. This is one I am concerned about, and I referred to it briefly in my testimony. The provisions of the agreement allow each side to retain the nuclear warheads and the guidance system associated with the SS-20.

It is because of the very similar characteristics of the first stage of the SS-20 with the first stage of the SS-25. It is possible to imagine the Soviets modifying the SS-25 with a technique known as thrust termination, which they already do in the SS-11, to give it variable range.

And this would provide a basis for circumvention of the agreement that I think we need to attend to.

Dr. VAN CLEAVE. The agreement, of course, does not cover the SS-25 as an ICBM. But what you are referring to, and it does appear in more than one instance in the agreement, is the definition of a missile category according to a maximum range tested.

The definition seems to me, at least, to say that as long as it is tested in excess of that range it is by definition an intercontinental ballistic missile, whether or not it is also tested in modifications of variations beneath that range.

In that regard, you could say that an SS-25, as we now know it, is a single-warhead ICBM that becomes a multiple-warhead IRBM

in a different variation, just as the SS-20 is a multiple-warhead IRBM that could become a single warhead ICBM.

Senator PRESSLER. You have noted in your answer the difficulties of distinguishing between the SS-20 covered by the treaty and the SS-25, which is not. We have had earlier testimony confirming that the SS-25 missile is in itself a violation of the SALT II Treaty.

The SS-25 has both ICBM and INF capabilities. Are we not in the awkward position then to be ignoring, indeed sanctioning, this violation by failing to address that violation in the context of this treaty?

Mr. SCHNEIDER. Yes, I think that is an illustration of the concerns. And why I expressed my anxiety earlier about the fact that we have not had a well-organized policy to deal with the consequences of noncompliance.

Ambassador DEAN. Could I just add a word to this general theme, Senator, if I might?

Senator PRESSLER. Yes.

Ambassador DEAN. There are two issues, of course, involved in every case in noncompliance. One is noncompliance itself, which raises issues of trustworthiness of the treaty partner. The second is the military significance of the violation.

I personally do not feel that any of the violations that have been cited are militarily significant. However, we have exercised our right of complaint vigorously, and in some cases have taken counteraction.

We have used the existing machinery, perhaps, probably not as actively as we could. But some of the gray areas of issues on ABM have been clarified by the SCC. The Krasnoyarsk construction, after complaint from us, was stopped, which is, after all, important.

In contrast to Mr. Schneider, I believe that Krasnoyarsk can be looked at from time to time to assure ourselves that it does not have the electronics which can make it work. And as regards encryption of telemetry, complaints about the problem has brought both sides to agree that in the new agreement there will be no encryption.

I think that is the way to deal with it. To complain when the violation occurs, and to press the complaint until there is some correction.

Senator PRESSLER. Let me ask you this concerning the Standing Consultative Commission.

According to the 1978 report by the Carter administration, the Standing Consultative Commission worked extremely well. The report states that both countries brought up issues before the Commission, and in each case the activity in question has ceased or additional information has allayed the concern.

A somewhat different view of the SCC was contained in a November 1985 memorandum to the President by Secretary of Defense Weinberger, which was published by the press. It must have been leaked.

Mr. Weinberger told President Reagan, the SCC has failed to resolve any significant compliance issue in the approximately 1,500 days that it has been in session over the last 13 years.

A less-productive forum for the resolution of disputes would be difficult to find. The SCC has become a diplomatic carpet under

which Soviet violations have been continuously swept, an Orwellian memory hole into which our concerns have been dumped like yesterday's trash.

I did not know Secretary Weinberger was so descriptive. But in any event, which of these two views come closer to your opinion about how the past Joint Compliance Commission operated?

And what lessons do you think we can draw from past operations to predict how a similar commission might function in implementing the INF Treaty?

Ambassador WARNKE. Well, Senator, since I participated in writing the 1978 report, I am quite confident that that was correct, and that Secretary Weinberger was dead wrong.

Senator PRESSLER. Elaborate on that a bit.

Ambassador WARNKE. I do not know whether there is anything else to say.

The fact of the matter is that the SCC functioned extraordinarily well. We raised our concerns about their testing air defense in an ABM mode. They stopped that activity. They raised the question of our so-called environmental shelters, and we ceased that activity. Those are two good examples.

Senator PRESSLER. Why would Secretary Weinberger have reached such an opposite conclusion?

Ambassador WARNKE. You would have to ask Secretary Weinberger.

Senator PRESSLER. But in your opinion, why would he?

Ambassador WARNKE. I think he was wrong. And I think the hyperbolic language that he used is a demonstration of that fact.

Senator PRESSLER. Who else wants to comment?

Ambassador EARLE. If I could just add one thing. I think that the SCC only functions if you use it. And I do not think this administration has used it because of the attitude taken by Secretary Weinberger.

I think it was a prophecy, a self-fulfilling prophecy. I am informed that when General Ellis began to raise issues about Krasnoyarsk in the SCC with the Soviets, he was instructed to cease and desist. That is not using the SCC. Of course it does not work if you do not use it.

Mr. SCHNEIDER. I have to differ with Ambassador Warnke and Ambassador Earle about the effectiveness of the SCC.

We very early on in the experience with the ABM Treaty, for example, we brought up through the SCC the question of Soviet non-compliance with the use of antiaircraft missiles in an antimissile role.

They continued to conduct a series of experiments for over 18 months before they completed the series of experiments. We never were able to stop any of the activity the Soviets were undertaking, until the military benefit was already in their hands.

So, I think the SCC has not proved to be a viable instrument. And in fact I was in Moscow in the first week in January, and was privileged to have an opportunity to talk with Soviet leadership at the highest levels.

And across the board, the concerns that we had about compliance, and despite the urging we brought to the Soviets to take this

question seriously so that we could sustain the momentum in arms control, issues of prior compliance have simply been brushed aside.

Dr. VAN CLEAVE. I agree with Dr. Schneider. I would just add one thing, and that is that the SCC has tended to "resolve" questions of Soviet violations simply by accepting Soviet rationalizations for those violations.

And indeed, the SCC has itself occasionally been quite inventive in suggesting to the Soviets possible rationalizations for their acts. So, I vote for Cap.

Ambassador DEAN. Just as a final comment, I would say that some of the Soviet practices brought up in the SCC, for example the use of anti-aircraft missiles in an ABM mode, some if not all of those practices have actually stopped, so that this Commission and discussion of the issues in it must have had some effect.

Senator PRESSLER. Well, I am pleased that this panel agrees that the violations of the ABM Treaty went to the core of the treaty, or does anyone disagree with that? I am closing up here.

Ambassador DEAN. Yes, I disagree with that, Senator.

Ambassador EARLE. And I would, too.

Senator PRESSLER. You feel they are just minor, do you feel that there was a violation?

Ambassador EARLE. I think Krasnoyarsk is a violation, was, is, and will continue to be, until it is taken down.

But to go to the core of the treaty, no it does not form a base for territorial defense. It is a violation. It should be pursued and should be pursued in the SCC. But it does not go to the core of the treaty.

Senator PRESSLER. Do you think the Russians built it knowing it was a deliberate violation? Or do you think they thought genuinely that they were within bounds?

Ambassador EARLE. There is a lot of speculation as to their motive. I do not think any of us know whether it was the left hand not knowing what the right hand was doing. Or that it was a deliberate violation, given the fact that SALT II had not been ratified.

It is hard to speculate. It was a very foolish thing for them to do, whatever the motivation was.

Senator PRESSLER. Well, in my view it was a deliberate violation of the core of the treaty.

Dr. VAN CLEAVE. I might point out, Senator, that the ABM Treaty is, in fact, a very permissive treaty.

When I testified on SALT I in 1972, I pointed out the likelihood that the treaty could only be effective on the side that did not wish to build a defense, but would not be effective against a side that wished to build a defense.

And this is exactly what has happened. Most of the Soviet activities in building the basis for this nationwide defense are allowable under the treaty. But the treaty did have, in addition to the principal purpose of limiting the ABM systems to the specified sites, have one core purpose, and that was to prohibit the development of a base for rapidly deployable nationwide defense.

And there are three provisions of the ABM Treaty designed to do that. One was control over these long-range radar constructions, of which Krasnoyarsk is a violation. Another was the prohibition on mobile ABM systems and their components, which has been violat-

ed. And the third was the prohibition on concurrent SAM and ABM testing in order to try to prevent SAM upgrade, which has been violated.

Hence, I cannot help but conclude that the core of the agreement is affected by these actions.

Senator PRESSLER. Mr. Chairman, thank you very much. I may have some additional questions for the witnesses. But I thank you very much.

The CHAIRMAN. The record will stay open for a week in case you care to submit some questions. And they should be replied to within that period.

I thank all of the witnesses for being with us. We are now in recess until 2, when we will be hearing another panel of witnesses on this same subject. Thank you, gentlemen, very much for being with us.

[Whereupon, at 12:45 p.m., the hearing was adjourned, to reconvene at 2:01 p.m., the same day.]

AFTERNOON SESSION

The committee met at 2:01 p.m., in room SH-216, Hart Senate Office Building, Hon. Claiborne Pell (chairman of the committee) presiding.

Present: Senators Pell, Sarbanes, Cranston, Adams, and Helms.

The CHAIRMAN. The Committee on Foreign Relations will come to order.

We are here this afternoon for a continuation of the experts panel on arms control. We have with us the Hon. Eugene Rostow, the former Director of ACDA; the Hon. John Rhinelander, Legal Adviser to the SALT I Delegation; Mr. John Steinbruner, Director of the Foreign Policy Studies Program at the Brookings Institution; and Mr. Sven Kraemer, who will be joining us shortly, I trust.

Why don't we start out with Mr. Rostow?

I have assured the witnesses that their full statements will appear in the record, as if read, and if they could, to limit themselves to 10 minutes, a fear which we will also try to emulate on this side of the dias.

Mr. Rostow.

STATEMENT OF HON. EUGENE V. ROSTOW, FORMER DIRECTOR, ARMS CONTROL AND DISARMAMENT AGENCY

Mr. Rostow. Thank you very much, Mr. Chairman.

Thank you for inviting me to testify on the ratification of the treaty and on the prospect for future arms control agreements.

Your invitation is an honor and a privilege, which I appreciate.

In 1979, I testified here in behalf of the Committee on the Present Danger, which has published an extended analysis of current arms control policies in July 1986. I have given the clerk of the committee a copy of that report for your record. I am here in my personal capacity.

[The information referred to appears in the appendix.]

Mr. ROSTOW. Some of the changes which we recommended in the 1979 testimony have become American and allied arms control

policy and a number have been accepted also by the Soviet Union. I singled out five of those for emphasis in my prepared statement.

These developments are hopeful and constructive, although there are still many problems to be resolved with them.

In my judgment, however, the INF Treaty before you presents two major difficulties.

The first in my view, is, that it calls for a dismantling of all Soviet and American missiles of intermediate range. As the reaction to that prospect both at home and abroad makes clear, low equal quotas for each side, which the United States proposed in 1983, would be decidedly preferable to the double zero solution, which raises the specter of American withdrawal, of American decoupling from the security of our allies, both in the Atlantic and the Pacific.

The administration has never explained why it abandoned its 1983 position and returned to the zero option when the Soviets returned to the negotiating table in 1985.

The second major problem with ratifying INF at this time—and it is a much more serious one—is that it violates the most basic principle of nuclear force analysis; namely, that the political and military effects of particular nuclear weapons should be evaluated only in the context of the Soviet-American nuclear balance as a whole.

In 1972, Ambassador Gerard Smith, who was our chief SALT I negotiator, formally declared that the supreme interests of the United States precluded final agreement on our part to one element in the nuclear equation until the other elements of the equation had been dealt with as well.

It is impossible to determine the impact of the INF Treaty on our security until we know what will happen next in these negotiations about intercontinental offensive weapons and defensive systems.

In my 1979 testimony on SALT II, quoting Dean Rusk, I said that regulating the intercontinental weapons without regulating what were then called the "grey area" weapons, the intermediate-range weapons dealt with in the INF Treaty, was like building a dam across half a river, and that it would expose Western Europe, Japan, and other allies and interests to more and more insistent Soviet pressure.

This principle applies equally to the present situation, as the Committee on the Present Danger pointed out in its statement of July, 1986, which I have given to you for the record.

The reasons supporting this judgment are obvious and compelling, as anxiety mounts, both in this country, in Europe, in China, and in Japan, that INF might be ratified and implemented alone, while the possibility of agreement with the Soviet Union on the other components of the nuclear equation vanishes into the mist.

Mr. Gorbachev and his aides have publicly warned us that a START agreement is by no means assured, that a comprehensive space agreement is out of the question at this time, and that they will not now return to what was, in 1972, the Soviet view of the application of the ABM Treaty to defensive systems based on novel technologies.

But an INF agreement standing alone would increase the risk of Soviet success in achieving its primary strategic objective, and

achieving that objective by the subliminal political pressure of its nuclear arsenal without war. That strategic goal, of course, is to split the United States from Western Europe, Japan, and China, and thus transform the world balance of power irrevocably in their favor.

They think that they could do that by using their nuclear superiority and their superiority in space and defensive systems to threaten Europe, Japan, and China, and, at the same time, keep the United States at bay.

They have made it plain that their objective is to denuclearize; that is to say, to neutralize, Germany and all of Western Europe and that they regard INF as a first step in that direction.

NATO has resisted many versions of the Rapacki plan over the last 35 years, but the Soviets keep trying, this time with a greater force behind their political pressure.

Thus, as I see it, Mr. Chairman, the basic question before you and your committee is whether INF is part of a package of agreements, designed to stabilize the whole nuclear equation, or a trap, designed to bring Western Europe, China, Japan, and many smaller countries into the Soviet sphere of influence and, thereby emasculate the United States.

I submit that no one can now answer this question with confidence. It is conceivable, of course, that Mr. Gorbachev and his colleagues have decided to end the cold war and are signaling that decision to us in the arms control arena. That is a consummation devoutly to be wished, and we should do everything possible to encourage it.

Until that point is established, however, it would be foolhardy to base Western policy on the assumption that the turn in Soviet policy has already taken place.

Certainly, Soviet actions in the Middle East, in Africa, in the Caribbean, and in the Far East offer no comfort to those who tell us that Soviet foreign policy has changed in substance and that peace has broken out.

In 1972, we ratified the ABM Treaty and declared publicly that we might abrogate it unless we could obtain a satisfactory agreement on offensive weapons, just as we threatened to abrogate the 1972 interim agreement on offensive weapons if the Soviet Union violated our unilateral understanding of what that agreement meant.

But the threat of abrogation proved to be an empty one in both those cases. There were and there are too many political cross currents in the West and too many hopes attached to arms control agreements as symbols to make the option of abrogation by the United States credible or feasible.

In the light of this experience, it would be more practical and more convincing to delay the ratification of INF until the START and space negotiations have run their course. If a sound arms control package is achieved, the INF Treaty in its present form would be acceptable as part of it, although, in my opinion, an agreement based on small equal quotas would be preferable.

But we have no right to risk the security of the Nation by lowering our guard until we can be confident that the Soviet Union has

indeed abandoned its policy of indefinite expansion, based on overwhelming military power.

One could, of course, achieve the effect of the delay I have recommended by a reservation or amendment put forward by the Senate and accepted by the Soviet Union when instruments of ratification are exchanged.

Thus far, nine arguments for ratification now have been put forward by the administration. They are all discussed in my prepared statement. I shall mention only three here and then very briefly.

The first and the most popular is that this is a deal we cannot resist because the Soviets would dismantle more missiles under this agreement than we would.

The Soviet Union's acceptance of the principle of unequal reductions to equal levels is, of course, a major and most welcome achievement in arms control negotiations. But I remind you of what the Trojan, Laocoon, said about the great wooden horse: "Timeo Danaos et dona ferentes," he said, "I fear the Greeks, even when they bear gifts."

The Soviet diplomats used to say, "We are neither pacifists nor philanthropists." Mr. Gorbachev expects compensation for his concession. What is it? And what would we lose if we waited to make sure the price is not too high?

The second argument concerns the effect of a delaying action by the Senate on allied opinion.

The question is indeed serious, and it would have to be carefully discussed with the allies in advance of action. The allies are troubled about the decoupling potentialities of INF and they support the treaty with their fingers crossed.

The problem is by no means insuperable, but it should be handled with great care. I remind you that exactly the same arguments were advanced in the SALT II debate, and the NATO Alliance was not in the least weakened by our failure to ratify SALT II.

On the contrary, the allies cooperated with calm, firmness and style immediately thereafter to carry out their two-track decision in the face of violent Soviet propaganda.

Some say that the course I am urging here would convince the Soviet leadership that the United States is unwilling to approve any agreements with the Soviet Union. But the position I am taking is exactly the position Mr. Gorbachev took at Reykjavik and the Soviet negotiators have taken for years. The Soviets have accepted many of our positions in INF—why should they object if we accept one of theirs?

Those who favor the immediate ratification of INF necessarily assume that sound agreements, helping to stabilize the rest of the nuclear equation, will surely follow. All Americans hope that their optimism is justified. Certainly I do.

But it may not be justified. We lose nothing by waiting until we know.

Finally, Mr. Chairman, you have asked me to comment on prospects for future arms control agreements. My answer to your question is that those prospects depend entirely on whether the extraordinary events we are witnessing in the Soviet Union are simply a period of reform, like many in the past, designed to strengthen the

Leninist foreign policy of the Soviet Union, as Mr. Gorbachev says, or the outward sign of a real turn toward peace in Soviet policy. [The prepared statement of Mr. Rostow appears in the appendix.]
The CHAIRMAN. Thank you very much, indeed, Mr. Rostow.
We now come to Mr. Rhineland.

STATEMENT OF JOHN B. RHINELANDER, LEGAL ADVISER TO THE
SALT I DELEGATION (1971-72)

Mr. RHINELANDER. Mr. Chairman, Senator Helms, I have a prepared statement and I would like to skim the major points from that statement when I testify.

I cover four points in the statement—the INF Treaty, my basic assumptions looking forward, a dozen choices in the arms control field over the next 12 years, and then management of agreements in force.

Turning to the INF Treaty, let me be very brief. I recommend the Senate give its advice and consent to ratification without amendment or reservation.

On the merits, I think the treaty should be supported.

Some proponents of the treaty have oversold its military implications, which I believe are modest. Some opponents fear the treaty is the first step toward nuclear disarmament, a condition which I would submit is impossible to achieve in the future, even if we wanted to.

With respect to looking forward for the next few years, out to the year 2000, I have stated a half dozen assumptions in my prepared statement. I just want to mention two here which I think should be stressed.

First, a world without nuclear weapons in the year 2000, as sought by General Secretary Gorbachev, is a familiar Soviet propaganda posture, but is inconceivable.

The second one, an effective defense of cities and other so-called “soft” targets from nuclear weapons, whether delivered by bombers, aircraft, or other means, is also not foreseeable.

Finally, I would stress that arms control should be part of our national security policy. It should not be an end in and of itself.

Now, in terms of choices for the future, I have identified four near-term choices and eight longer term ones. Let me just identify them for you without getting into them in any detail.

In terms of the near term, the most important is the START agreement, which is under negotiation right now. I identify it as START I because at some point in time we are going to have to look forward and say what do we do if we ever do achieve the START agreement.

The second would be the Chemical Weapons Convention. I will have to admit that I am surprised as much progress has been made as apparently is the case. Verification of that type of agreement will always be imperfect. The central issue, if and when it is brought forward, is whether a good agreement, but far from perfect, is better than the status quo. It is not going to be an easy choice.

Finally, the last two of the near-term ones are the Threshold Test Ban Treaty and the Peaceful Nuclear Explosion Treaty, where

the issue, of course, is the verification protocol, which is under negotiation. I don't believe that was necessary in terms of those agreements as signed, which, as you know, had a very high threshold; but I think that is a very significant step forward which is taking place. When and if that protocol is completed and these treaties are brought forward again for consideration, I hope they would have speedy action up here because I think they would be a good step forward.

Moving toward the eight issues which have to be looked at over a period of time, I will simply identify them.

The first is what I call the ABM Treaty regime. It includes the treaty, the great reinterpretation debate, it involves ASAT's and a variety of other issues.

Second is the conventional forces in Europe. I think that is a fundamentally important issue. I am not persuaded there will be agreement in this field, let alone an early agreement. We are all familiar with how long it has taken in the MBFR negotiations, and they are not yet completed. However, this is the one area which I have identified which does offer some significant costsavings in the future if the results were achievable.

The next area that I have identified is the nonproliferation regime. I would simply note that that convention expires by its term in 1995. This is not an immediate concern, but it is one that we have to look at at some point in time.

The most pressing issue involves those countries which are not parties to the NPT. I would submit the Indian subcontinent is the most difficult situation of all.

If that problem is going to be resolved short of full-scale competition with nuclear weapons, it is going to require the United States and the Soviet Union working very closely together, along parallel courses. I do not believe that is possible as long as the Soviet forces are in Afghanistan.

A Comprehensive Test Ban Treaty is on the list of many. A number of years ago, I wrote an article putting CTBT up very high in the priority list. Thinking it through, I would suggest now that there are other subjects which are probably more important. I think perhaps a better way to proceed would be if we get the Peaceful Nuclear Explosions and Threshold Test Ban Treaties ratified, to move toward phased reductions, rather than fully to a CTBT.

The Biological Weapons Convention was signed when I was in government. I was on the SALT I talks at the time. I did not have a part in it. But that is a treaty which really has no verification provisions in it at all.

If there is a Chemical Weapons Convention signed, it seems to me that we ought to go back and negotiate out a protocol, a verification protocol, for the Biological Convention which is now in force.

The question of tactical nuclear weapons has come up in the post-INF world. It has been raised particularly by the Germans. It is an extraordinarily complex subject, both in terms of policy and verification. I think that matter should be deferred.

Finally, I would identify one which Senator Helms has spent some time on.

In the evenings, I go back and watch television, Senator.

This is the whole question of what I will call the weapons grade materials.

If we reach an INF agreement, ratify it, and the weapons are taken out of action and if we reach a START agreement, there will be a considerable surplus of weapons grade material. I think that question has to be looked at.

Now, I submit that this is an extremely complicated question. To my knowledge, that issue has not been addressed by the Government since 1961. I have identified three separate elements to the question which really ought to be looked at.

First is a production cutoff. There have been proposals floating on that.

Second is how you deal with the excess inventory. This is not an easy question at all.

Finally, if you take both of those steps, there are going to have to be extraordinarily intrusive safeguards on the entire back end of the nuclear cycle.

What I would submit is there ought to be some research done in this field. I don't think people know enough yet how we ought to move in this area. But, as I say, I think it is a very complicated field.

Let me move, finally, to the question of management of arms control agreements. I have focused so far on new agreements, and that frequently is done. But we cannot forget the ones which are in place. I would like to stress here two things.

One is compliance and the second is what I call adaptation of treaties.

I would submit to you that the Soviet compliance conduct is not as bad as the Reagan administration claims, but clearly not acceptable as a long-term course of conduct.

Second, I would suggest that the United States compliance conduct, while a lot better than the Soviets, is not perfect. Part of the problem deals with the ambiguity or the lack of clarity in some of the treaty texts. Perhaps the best case of that is the provision in the ABM Treaty dealing with the large phased-array radars, Krasnoyarsk on the Soviet side, which to my mind is right now a violation of the ABM Treaty.

But we are also doing some things which are questionable under that very same article.

There is the question of adaptation. Between the wars, we had the treaties limiting the naval forces. One of the consequences of that was the pocket battleship, a ship designed around the treaty.

If arms control agreements are to remain important in terms of the security posture of the United States, those agreements are going to have to be modified, amended, changed over time as technology changes. We have taken our eye off the ball in that over time, and if we are going to have some of these agreements as an important part of our security posture, we really have to focus in on this problem as a constant.

Finally, with respect to an overall assessment, I have not mentioned risk reductions. I think that is an important element. In fact, some risk reduction measures may be much more important than actual reductions in the weapons themselves.

Progress on arms control I will submit to you has to be incremental. It will involve small steps. Hopefully, most will be forward. Some will be backward. But there are no simple solutions to these questions.

With respect to the INF Treaty, I think ratifying it would be a small but important step forward in trying to maintain control for the future.

I do not have anything in my statement, Mr. Chairman, on the so-called Sofaer doctrine. This, I know, has been an element of the discussions here.

Let me just state that, in my judgment—and, as you know, I have been a part of this whole dispute since the reinterpretation arose in the fall of 1985—that doctrine has no basis in either fact or law with respect to the ABM Treaty. I think that is the judgment of every member of the SALT I Delegation, with the exception of Paul Nitze. It is the judgment of experts who have nothing to do with arms control, such as Professor Henkin, who I would submit is perhaps the finest constitutional treaty scholar we have in the country.

I don't believe that doctrine is sound. Whether or not the Senate should do anything about it in its resolution is a question of policy. If it is not sound, you can argue that nothing need be done.

I am familiar with some of the proposals which are underway, and I think, basically, they are sound in articulating general policy in the constitutional area. They do not pretend to, and I do not believe they could, resolve the question with respect to the ABM Treaty.

With respect to the ABM Treaty, I think that issue has been basically resolved for this year with respect to the conditions on the DOD legislation.

Thank you.

[The prepared statement of Mr. Rhinelander appears in the appendix.]

The CHAIRMAN. Thank you very much, indeed, Mr. Rhinelander.

STATEMENT OF SVEN F. KRAEMER, FORMER DIRECTOR OF ARMS CONTROL NATIONAL SECURITY COUNCIL STAFF (1981-87)

Mr. KRAEMER. Mr. Chairman, Senator Helms, Senators, it is a great privilege for me to be here today, although I am here with some sorrow and in some conflict. It is a conflict and a sorrow because I would like to support the proposed INF treaty, but cannot in good conscience do so. I bring a perspective today to having worked in my vocation for many years, some 25, on issues of defense and foreign policy and arms control. Most recently, I have worked for seven years as the Director of Arms Control on the NSC staff, where I shared policy responsibility with a small, highly capable group of people of great integrity.

I have given you a long prepared statement today on my concerns about the treaty. It reflects a lot of thought and wrestling with dilemmas. There are no easy answers, but above all, I believe that we must take the broader context of this treaty into account. We must not get bogged down in the treaty's provisions and techni-

calities, although there certainly are major concerns and fundamental flaws involved in the treaty itself.

I would like in my brief informal remarks here to summarize some of my concerns as spelled out at length in my prepared statement. Measuring these concerns against the arms control criteria President Reagan established early in his administration, I believe the criteria are far from being met by this treaty.

First of all, summit fever has caught too many of us in a rush to praise this treaty and to ratify it rapidly without first recognizing or resolving fully the major concerns it has raised. Some of these concerns are being dismissed because people would like to believe that, because the President endorses the treaty, it must be all right. They do not measure it, however, against his declared criteria.

It is also said the Soviet concessions are so significant that we should pocket them and not worry about remaining problems.

I would, however, suggest that the concessions that the Soviets made on on-site inspections and asymmetrical force reductions, in particular, can be readily retrieved by them. They will retain the capability for substantial covert activity. Both the treaty's data base and its verification provisions involve major discrepancies and limitations. If these are not resolved before the treaty is ratified, we may have the hope of asymmetrical reductions and excellent verification, but we will not be able to fulfill that hope.

It is also said that the Allied reaction to changes in the treaty would be catastrophic. On the other hand, I believe I am right that the consequences of the treaty—that is, not repairing the data base, the verification aspects of it, and working on the broader context—also bring major dangers. In that case we really have to consider working very closely with our Allies and with the Soviets on changes. With the Soviets, we need to try to repair the treaty. With our Allies, we need to improve the context in which it is presented, including measures to strengthen NATO deterrence and compliance policies.

I do not believe that the Soviet words connected with their "new" policies of glasnost and perestroika have yet been matched by any fundamental changes. Therefore, I believe we must not trust the INF treaty paper without having the requisite safeguards and without being sure that an overall integrated approach to the Soviet Union has been carefully thought through. I do not believe that we can rely on such trust alone.

Part of my reason for that is the bitter experiences of "detente" in the 1970's, when we did sign agreements, we retrenched, we cut down our defense spending substantially. But the Soviets escalated their aggression, they sent their proxies into wars, they undertook a huge military build-up with their forces. I believe this pattern is in great danger of being repeated, and even being repeated in areas like the US commercial credits at low rates, and the advanced technology, that would flow to the Soviet Union in a new aura of supposed "detente".

I am also concerned about very specific data discrepancies and very specific verification problems in the proposed treaty. I will not enumerate them here. They are summarized in my prepared statement and are well enumerated in your Committee's Minority Staff

Report of January 25th. They are also well enumerated in a recent American Enterprise Institute study of February 3rd. I believe those are serious issues that must not be brushed aside. They need to be addressed fully.

I believe, however, that there are also some larger problems in addition to those treaty technicalities.

For example, many rely on the hope that the "Montebello Decision" made in 1983 by the Allies will produce the requisite modernization programs to take care of the fact that we are losing our best deterrent. But, there is no evidence at this time that the parliaments and publics of Europe will, in fact, come up with the new moneys required to fund these expensive programs.

We know that this treaty will be extremely expensive. It will be expensive not only in verifying, but in dismantling, at a cost of hundreds of millions of currently unbudgeted dollars. It will also be extremely expensive in terms of the conventional force buildup and the modern forces, including, for example, dual capable aircraft, anti-tactical ballistic missiles and so on that we should deploy to make up for the INF Treaty's elimination of NATO's only deterrent that could surely and rapidly reach from Western Europe straight into the Soviet Union.

So, "Montebello" is not something that we can rely on securely. We can invoke it, but we can't rely on it unless we do a lot of work with our Allies and unless our own Congress sets the example of not cutting, for the fourth year in a row, the U.S. defense appropriations at a time when the Soviet military buildup, as testified by our intelligence community, continues at an extraordinary pace.

There is also the threat, a direct threat in connection with the INF Treaty, to the early phased deployment of the Strategic Defense Initiative program. SDI is our best insurance policy against Soviet cheating, and I believe it also is an ethical imperative for all us to follow, to get us out of a situation where we deter exclusively on the basis of Mutual Assured Destruction, or mutual suicide.

It is incredible to me that as we consider INF and START we should be concerned with a legalism about "broad" and "narrow" interpretations of an ABM Treaty long ago broken by Soviet violations. It is incredible that we thus endanger our security at a time when the Soviet Union's programs in defense are far outpacing ours, when a full-scale Soviet breakout from the ABM Treaty threatens, and when the Defense Department has shown in its November study on "The Soviet Space Challenge" that, in fact, the Soviet strategic defense programs are going into space.

The Soviets clearly want to dominate space and earth both with offense and defense. They want a monopoly. Their highest priority in INF and START is, in fact, to entrap us into conceding that we cannot deploy SDI for perhaps seven or ten years, instead of going into early phased deployment.

The INF ratification deal that has been cut or is being cut politically on this issue, I believe, has to be treated as part of the INF Treaty package and part of the INF-summit package this May. It clearly is part of the package.

The summit package may include a proposed START (Strategic Arms Reductions Talks) Treaty, even if START may not be ready. The proposed START Treaty may be good on its own terms; or it may not. I am not sure, but I believe there are still some major problems including the dangerous implications of INF data and verification problems.

But if INF or START are bought at the price of postponing, rather than accelerating, our SDI deployment, they are not worth it. The Soviet SDI program will simply be accelerated and deployed as a monopoly. Ours, I believe, would not be a threat to anyone. We need it. We should go for it.

So SDI and START are also part of the INF Treaty debate.

Finally, it is to me incredible that we should be signing a new contract with the Soviet Union, a new arms control contract, when the existing ones have been systematically broken by the Soviets. This, in fact, is an explicit reversal of the President's assurance to the Congress and signal to the Soviets last March 10 in his report on Soviet noncompliance, that full Soviet compliance with all existing agreements would have to be a prerequisite for future arms control agreements.

This Presidential policy commitment is being pushed aside for reasons that I have asked about and others have asked, but that the State Department and the administration have not explained. The signal that we are thereby sending to the Soviets is that they can pick and choose which provisions and which agreements they will keep while we scrupulously, and unilaterally comply.

In connection with the INF summit this May, we are also sending the signal through our diplomacy that we are prepared at the same time to welcome cutting off aid, unilaterally, to our freedom fighter friends in Nicaragua, Afghanistan, and Angola, and elsewhere simply in return for Soviet pledges to do something in the future, such as a phased troop withdrawal, or toning down militance, or democratizing.

But neither Soviet allies' democratization nor Soviet/Cuban force reductions in areas where they are waging war have been evidenced in the past. We are, once again, as part of the INF Treaty debate, going to have to face up to the fact that if we don't exercise peace through strength, if we don't have treaties very carefully crafted and backed by safeguarding programs of a military sort and with good, solid, long-term strategy and diplomacy, then we will be in greater trouble, even though we have placed great hopes in what we are doing.

I call for an integrated strategy on handling the Soviet Union with realism and strength—military, economic and moral. I believe you must also, Senators, treat this INF Treaty as a component of the broader U.S. summit package and agenda, along with other integrated elements to include the human rights, regional, economic, and other arms control aspects of a longer-term U.S. strategy toward the Soviet challenge.

I thank you very much.

[The prepared statement of Mr. Kraemer appears in the appendix.]

The CHAIRMAN. Thank you, Mr. Kraemer, very much.
Dr. Steinbruner.

**STATEMENT OF JOHN D. STEINBRUNER, DIRECTOR, FOREIGN
POLICY STUDIES PROGRAM, THE BROOKINGS INSTITUTION,
WASHINGTON, DC**

Mr. STEINBRUNER. Mr. Chairman, I also am submitting a statement for the record. Let me briefly summarize its contents.

I support the treaty and I think it should be ratified without qualification or amendment.

I agree with the other witnesses that it should be understood, however, in the context of a more comprehensive arms control arrangement involving strategic force reductions constraints on conventional force, and some judicious restriction on the process of weapons modernization.

In handling the treaty, the process of ratification and in projecting the future, I think it is important to understand its role in this context and to make that a constructive role.

In doing so, I urge you to keep four things in mind.

First, the benefit to the United States of the treaty is largely political in character. It is removing what has been a source of serious division with our alliances: The SS-20 deployment on the Soviet side and our own deployment against that.

This introduced partisan divisions in Europe and split the German parties on the question of security policy.

We have at least the possibility of removing that division and re-establishing a greater degree of alliance cohesion. That is a very critical benefit. That was a threat to the future of the alliance and to American security.

Achieving that benefit, in my opinion, requires an expeditious ratification process and a decisive one. We would vitiate the benefit if our own ratification should get entangled in domestic politics and not be able to proceed to completion.

I also believe that we should be very careful about the process of modernization of those remaining weapons in Europe. It could readily be understood as compensation for those being removed, and we could readily, again, vitiate the benefits of the treaty if we overload German politics. It is the wrong point and the wrong moment at which to urge a more assertive modernization program on them.

A second point to keep in mind is that the removal of these weapons does not, in fact, alter the real military capability to deter Soviet aggression in Europe, including the capacity associated with extended deterrence. However we choose to think about it in the

West, Soviet assessments of the matter almost certainly are largely determined by real military capability, more than anything else, certainly more than political symbolism. Our strategic forces and the ones held offshore are the ones that have the most appropriate military capability for threatening the targets associated with extended deterrence. Those forces will remain undiminished. They have ample capacity to provide the necessary deterrent capability. There is no need for military compensation as a result of this treaty.

The third point I would stress has to do with the relationship to the question of a conventional balance. Again, since there is no real reduction of deterrent capability, the conventional balance is no more or less dangerous than it was before this treaty.

Moreover, I think that we should recognize that there is in the very near future the prospect for very serious negotiations about stabilizing the conventional balance and the problem in conducting those negotiations is not motivating it on the Soviet side—they appear to be very serious about it—but, rather, coordinating and conceptualizing our own position.

For that reason, since we are the ones who are lagging in the process, it does not make any sense at all to impose conditions on this treaty relating to conventional forces. It would only encumber our own process, which is difficult enough as it is.

The fourth, and final, point which I would like to emphasize most has to do with a principle implicit in this treaty but not articulated in its text or in the official explanations that accompany the treaty. The missiles being removed, the short- and intermediate-range missiles, are unique in one respect only. They represent a relatively low-warning threat against the opponent. Missions associated with that kind of capability have to do with preemptive attack on the opponent's strategic forces. Implicitly, this treaty is constraining that capacity, and that is, by far, its most important military consequence.

I think that principle needs to be generalized, and systematically applied to all forces because it addresses the single most serious security threat that we have at the moment—the underlying inclinations of both strategic forces to engage or be tempted to engage in a preemption under the pressures of intense crisis. This comes because of the respective vulnerability to such actions by the other side.

In order to develop that principle and to make it systematic, there are many other measures required. They include a reduction of strategic forces to remove the capacity that might be used for preemptive attack and to leave the deterrent forces relatively protected.

Not only do strategic forces need to be reduced by a substantial amount in order to achieve that objective, but the resulting forces need to be reorganized to present a more robust capacity on both

sides. In particular, we need to discourage and disproportionately reduce in the initial phases the multiple-warhead systems designed for hard target attack and to encourage modernization programs based only on single-warhead technology. That is an important principle of stabilization.

Moreover, we do need to continue the restraints on strategic defenses, in particular the principle that no activity in this area will be done except by mutual agreement. Whatever the promise of defensive technology, I think we can be sure that its development or deployment would be profoundly destabilizing unless subjected to mutual agreement.

An effort to introduce strategic defenses unilaterally at reduced offensive force levels would intensify the preemptive incentive.

Ultimately, as we pursue future arms control arrangements for the purpose of controlling preemptive capability, we also want to establish a legal regime in space, to protect the assets there that are extremely important to the safe and stable management of strategic forces, and to prevent the systematic development of weapons and organizations dedicated to attacking those assets, an event that would be profoundly destabilizing. This is a problem we have not yet solved.

In conclusion I believe we have a treaty that is entirely acceptable, as stated, and should be ratified without qualification. In the process of doing so, we should look forward to a much more comprehensive outcome involving the containment of preemptive pressures in the strategic forces and the stabilization of conventional forces in defensive positions that cannot invade the opponents territory.

I think that outcome is entirely feasible and that the thing to do is simply to ratify this treaty and proceed with all these other measures in their own terms.

Thank you.

[The prepared statement of Mr. Steinbruner appears in the appendix.]

The CHAIRMAN. Thank you very much, Dr. Steinbruner.

First, I would like to ask Mr. Kraemer this. You talked about your misgivings about rewarding Soviet noncompliance and the ineffective verification provisions and about the loss of critical military systems. At that time I believe you were working at the NSC.

Did you share these concerns with the National Security Adviser, and, if so, what was his response?

Mr. KRAEMER. Sir, I left on August 31, 1987. I was very honored by the service. I had no problems whatsoever communicating with outstanding National Security Advisers. I believe that the options that were looked at were fairly looked at.

I usually joined the decision. I got quite concerned after the Reykjavik Summit in 1986 and things happened after last August 31, when I resigned, that, had I been there, I would have had to resign on principal. It was summit fever in the rush to the December 7th summit in Washington. For example, there was data accepted that should not have been accepted. And an Article XIV appeared, which was not there when I was there, which raises serious questions.

On the issue of the specific verification provisions involving suspect sites—there are some serious tradeoffs. But, I believe that for our own reasons, involving difficulties with handling Soviet intelligence people who would fish for more than INF, it was felt that we would no longer insist on suspect site inspections for challenging the Soviets at undeclared locations.

If we drop such suspect site inspections, then at least we have to get the data base discrepancies in order. Otherwise, it does not help you to count on those inspections you believe are permitted in the treaty but whose sites are not accurately demonstrable from what is listed in the data base. It is a fraud to say that this is effective verification. It is not.

I am also shocked that we did, in fact, go ahead and initial a new agreement in violation of the President's declared policy as stated last March 10, that we would not do so until previous agreements were complied with by the Soviets. We should have at least put much more insistence on compliance and tied our reductions schedule to the Soviets being in compliance.

The CHAIRMAN. But you did not answer my question. Did you share those views—

Mr. KRAEMER. Yes, sir. I wrote a letter to the President on some of my broader concerns.

I worked on the issues while I was at the NSC and I also wrote a letter to the President on December 5, which outlined my concerns because I sensed what was going to happen at the last summit. I regret to say that my letter did not reach him.

I also have tried very hard to communicate on these issues through and with the man I now work for, Jack Kemp, because I believe he understands these questions.

So I did find a way of communicating.

The CHAIRMAN. But at the time, did you communicate with your boss, the National Security Adviser?

Mr. KRAEMER. Yes, sir, to the extent possible.

I have to tell you that we are in that staff—and I think in too much of the government, and even in too much of the Congress—we are focused on specific limited issues. We take the dilemmas single file; the problems come single file. It is hard to integrate. And I had to rely on other people in the NSC staff, as the Security Adviser does, to try to be sure that Afghanistan, Nicaragua, human rights, trade and other aspects of Soviet policy that I am raising in the discussion today on the INF-summit package were being appropriately handled.

I believe that in the Ministerial meetings leading up to the summits and in the summits themselves, many such things tend to fall by the wayside, by and large, and that the final thing is the rush to get agreements on arms control, come what may.

The CHAIRMAN. But you are not answering my question. You say you did communicate with the National Security Adviser.

Mr. KRAEMER. Yes.

The CHAIRMAN. What was his reply to you?

Mr. KRAEMER. In those areas that were within my provenance, I discussed only the arms control specifics, and we don't have individual commentary on our group papers, on the specific papers

that we may do. So I saw decision memos and helped write decision memos.

The CHAIRMAN. As I understand it, you only communicated with him in connection with the arms control provisions.

Mr. KRAEMER. That's correct.

The CHAIRMAN. And his answer to you on that was what?

Mr. KRAEMER. He knew my summit concerns and others. He would review the papers and would listen, as would the President to his advisors. And to the extent that in the NSC meetings these issues were presented to him, the President would also be very, very attentive to options.

But I must tell you again that the areas in which I worked did not deal specifically with the Montebello decision, did not deal with Afghanistan or East West trade or human rights, did not deal with SDI programs per se. So, as it all comes together in a summit, I have had to learn a lot in the last months about what we are not doing and how it is not being integrated, or when it is integrated, at what cost to things that I believe in very strongly.

I believe that the best arms control we could have would be to have the world's countries be democracies, because democracies do not attack other countries. But we are dealing with sovereign states, including a totalitarian one, the Soviet Union. The latter is especially difficult to handle in terms of arms control if you are not working with them on issues of tearing down their walls, closing down their gulags, and pulling out their Cuban and other militant proxy friends. If you don't integrate that into a comprehensive strategy, then it is useless to talk about arms control in the sense of some weapons reductions which, in this particular case, the Soviet strategic surplus can easily make up for the shortfall in INF.

The CHAIRMAN. Just to carry that thought a little bit further, your thesis then is that there is no point talking arms control to nations which are not democracies, like we are, is it?

Mr. KRAEMER. There is very much a point in talking. It is an ethical imperative. It is a vocational commitment to do that. You have to keep trying to find a cure for cancer, but you have to do it by recognizing the lessons and illusory medicines of the past. And in the case of the Soviet Union, we need an integrated strategy that weaves the other components of the geopolitical situation together.

I don't believe we are doing that.

The CHAIRMAN. But in an imperfect world, which this is, we don't share a common system of government, and your thought is there is no point in trying to make progress in other fields?

Mr. KRAEMER. No, sir. That is not my point at all.

The CHAIRMAN. Well, I understood that your point was that we—

Mr. KRAEMER. I think this treaty can be fixed with some safeguards. I can spell these out—as I do in the appendix to my prepared statement.

The CHAIRMAN [continuing]. Should not make progress in arms control.

If I could finish my statement, please, my question is do you think that we should count out arms control when we are dealing with a country that is not a democracy like ours?

Mr. KRAEMER. No.

I believe we should be particularly vigorous in pressing real arms control with real verification and real data, and tearing down the walls which separate us. That is arms control. It may include weapons—it does include weapons. It includes the things that are in the INF Treaty and it includes more.

But you had better have your treaty, your pieces of paper, on firmer ground than this one is.

The CHAIRMAN. Thank you very much.

I am not sure that I follow you, but I appreciate your answers.

Mr. Rostow, in your statement you say that in 1972, we ratified the ABM Treaty and declared publicly that we would abrogate it unless we could obtain a satisfactory agreement on offensive arms, just as we threatened to abrogate the 1972 interim agreement on offensive weapons.

But the actual statement of Ambassador Smith, as I read it here, was more "iffy." He says, "If an agreement provided for more complete strategic offensive arms limitations were not achieved within 5 years, U.S. supreme interests could be jeopardized. Should that occur, it would constitute a basis for withdrawal."

That is not quite as final or absolute as I think was the impression left by your testimony.

Mr. ROSTOW. Well, I may have put more emphasis on the verb there than it merited. But that is the way I read it, that if we did not get an agreement on offensive arms, our supreme interests might be engaged, and, in that event, we would withdraw from the treaty.

The CHAIRMAN. "Could withdraw"—that is the difference.

Mr. ROSTOW. Yes. He said "could."

The CHAIRMAN. I have no further questions at this time and would turn now to the ranking minority member, Senator Helms.

Senator HELMS. Mr. Chairman, I thank you very much.

Mr. Kraemer, does the Soviet general staff have an entity known as the Directorate Responsible for Coordinating Strategic Deception? I believe they call it "Maskirova."

Mr. KRAEMER. Yes, sir.

Senator HELMS. There is such an entity?

Mr. KRAEMER. Yes.

Senator HELMS. I am leading off with this question because throughout these hearings, there has been a tendency to say "Well, we don't need to worry about the Soviets." One witness yesterday said there is no reason to feel that the Soviets will not comply with the treaty. My position is that there is scant reason to assume that they will ever keep a commitment.

And here they have an entity set up for the purpose of strategic deception, to deceive the United States and everybody else.

Now, this Directorate of Strategic Deception, "Maskirova," I believe it was created in 1969, or somewhere along there.

Mr. KRAEMER. I don't know precisely, sir. But the U.S. Government has published extensively on it, including the Defense Department's "Soviet Military Power." There is also a Department publication on "Soviet Active Measures" in disinformation through the period 1986-87, which I cited in my prepared statement. The State

Department study goes into the Soviet use of deception and front groups, including "peace" and church groups, in some detail.

Senator HELMS. Well, anyway, it was along about when the SALT negotiations first began, according to my information.

Now I believe that same document that you mentioned also confirms the fact that Marshal Nicolai Orgarkov was the creator of the Soviet General Staff Directorate of Strategic Deception, precisely when Mr. Ogarkov was named the Senior Soviet Military Negotiator in SALT I.

Is that not a fact?

Mr. KRAEMER. Yes.

Senator HELMS. Does the General Staff Strategic Deception Directorate attempt to control United States intelligence access to all data about Soviet strategic programs, including even efforts to distort our knowledge of the capabilities and characteristics of all Soviet missiles?

Is that a fair statement?

Mr. KRAEMER. I think it is fair. But I should tell you that I am not an expert in Soviet intelligence.

Senator HELMS. How about you, Mr. Rostow? Do you know about this?

Mr. ROSTOW. No, I don't.

Senator HELMS. I don't think the American people do, either.

Mr. ROSTOW. Well, I have come across reference to that directorate, but I don't know enough about it.

Senator HELMS. OK. Let me ask you this, and anybody who wants to chime in here may.

Did not the Soviets, to use the word as it is, lie to the United States in SALT I about the size of their heavy SS-19 ICBM?

Did they not lie about the range of their SSN-8 SLBM, the SLBM, and their number of submarines?

Mr. KRAEMER. Sir, I believe that the deception record has been published in the past, and some of it is in your minority staff report. There is a record of deception. There is a record of them exploiting ambiguities. Yet there is an astonishing statement in the recent questioning of the INF data discrepancies by a State Department official saying that there were no problems and that there is no evidence of deception.

We don't know that for sure.

My personal view is that there is evidence of deception in the current INF data presentations that were made by the Soviets.

Senator HELMS. Well, I am raising these questions, Mr. Kraemer, because I daresay that not one-one hundredth of 1 percent of the American people have any notion about the degree of duplicity and the constancy of duplicity, the deliberate establishment of deception.

The Soviets frankly lied to the United States in SALT II about the capabilities of their Backfire bombers, their SS-24, the SS-25, the SS-26 ICBM's, and they falsified their statements about the deployment of the SS-16 mobile ICBM, which was banned by SALT II.

It is a matter of record.

My question is why do you think the United States intelligence seems so ready to believe as accurate the Soviet SS-20 numbers, as

contained in the memorandum of understanding, and those Soviet photographs of their INF missiles?

Can you explain that to me?

Mr. KRAEMER. I can't, but I also have not been the beneficiary of recent testimony from intelligence officials. I am essentially limited to what I know from the newspapers on this.

I am familiar, however, with the fact that in the SS-23 photo, there was a missing connecting link. When the United States demarched that at least it is reported that we demarched that photo—it was demarched on the same day that the State Department was telling some of us that there were no problems with any photo—the Soviets said "Oh, yes, we didn't put the connecting link in there because that wasn't stipulated." And right away the Soviets went on the offensive and told us that all of our photos were awful.

There are also problems with the Soviets' SS-20 photo. I do not know for the moment what the U.S. intelligence officials who are expert in this are telling their committee.

But I have problems with it. I do know that when I looked into it myself, there was concern at, let's say, the third and fourth levels of the CIA, the DIA, and of the Arms Control and Disarmament Agency.

I do not know whether those concerns survived the filters up the hierarchical line, and I do not know what kind of evidence is being presented to your committee or to the Intelligence Committee.

Senator HELMS. It is very broadly recognized among people who share your concerns and mine that this photograph, submitted by the Soviets, of the SS-20 related to the front end of the SS-20 and that it is a forgery.

Are you in a position to say whether Soviet forgery of the image of the SS-20's front end would enable the Soviets, even with perimeter portal monitoring at the assembly plant to covertly place SS-20 missiles inside of SS-25 canisters and thereby pass off their covert SS-20's as SS-25's, the SS-25's, of course, not being covered by this treaty?

Mr. KRAEMER. I believe, from what I know, that it is a distinct possibility.

I also believe that the similarities in the first and the second stage of the missile and the fact that the SS-25's are being deployed at SS-20 bases, make it impossibly difficult, really, to be assured of verification.

I would point out one other major public number that has come to people's attention which creates problems.

For many months, we and our NATO allies focused on the number of 441 SS-20 launchers. The treaty's data memorandum has the number 405. Where are the missing launchers?

We are not even sure about what that basic number is of the basic missile that we have been negotiating about for 6 years. I really question our ability to know what the data base is. I believe, then, that the refuge that the administration takes, that the data is within the margin of U.S. estimates, masks seriously the fact that the range of estimates contains very large margins of error.

Senator HELMS. Mr. Chairman, I will just wait until the next round because if I get into another question now, my time will run over.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Helms.

Senator Adams.

Senator ADAMS. Thank you, Mr. Chairman.

Mr. Steinbruner and Mr. Rhinelander, I would like you to comment on the allegations of lying that have been made here.

Do you think they are correct?

Mr. STEINBRUNER. With regard to the SALT I record, certainly the Soviets made statements which were not completely forthcoming and which did, in fact, misled us to some extent. I think it would be very difficult to prosecute them for outright lying, and I think we ought frankly to blame ourselves for not having listened carefully.

If you look at the record in retrospect, they told us fairly clearly but very generally about many of the developments, alleged to have been concealed or misrepresented. We did not listen. We did not do our homework in interpreting their ambiguous remarks.

Senator ADAMS. Thank you.

Mr. Rhinelander.

Mr. RHINELANDER. Sir, let me turn to the question of the submarines.

I don't believe the Soviets lied to us in terms of the number of submarines. The question is how you define them.

The interim agreement we were dealing with at the time talked about subs which were both operational and under construction, and we could not get them to define for us what they meant by "under construction." If they simply meant the hulls which were under construction under their sheds, which is the way they built them, that was one thing. If they were taking it all the way back to where they were beginning to assemble subcomponents, it meant another thing.

So, the numbers we got from them, as I remember, were within the range, but you had to have a definition, and we could not get a definition from them.

So, I don't think it is a question of lying.

Now, we did have, Senator, in the interim agreement a protocol to it, which has specific numbers in there, and it basically was keyed to boats which were operational after sea trials. So, effectively, we finessed in the end that definitional question, and dealt with it in a way in which we could easily verify it.

Senator ADAMS. Mr. Kraemer, you gave some testimony about the administration. I read your statement.

We have heard from Ambassador Glitman, we have heard from other witnesses that there was no rush to negotiate the treaty and that we had careful work and accomplished all of our objectives.

Do you say that is false?

Mr. KRAEMER. I do not question his interpretation and his integrity, Ambassador Glitman's, nor anyone else's. I have my interpretation of what happened.

I believe if you had former Department of Defense Assistant Secretary Frank Gaffney and others here, you would find that, since

the time we left government last fall and the final summit result, quite a bit happened.

Senator ADAMS. All right.

Mr. Rostow, on page 4 of your testimony, after having stated a number of reasons why this is a very good treaty, you state that there are two major flaws. The first one you say is that it creates a verification problem or that we should not have gone to a double zero INF, and you don't know why anybody abandoned this.

Isn't it quite apparent that it is easier to run a verification system when you are saying "have none," than when you are trying to chase after some?

Mr. Rostow. Well, it is not really, Senator Adams, because this treaty deals not only with missiles that are deployed where you can photograph them, but it also deals with missiles that are in factories or warehouses, or in sheds, reload stations, and the verification problem, therefore, would not be very different.

Senator ADAMS. Well, the verification problem, as we know—and you are very experienced in this, Mr. Rostow and that is why I directed this to you—deals with the whole system of operational limitations, testing limitations, movement limitations, national technical means to check these. We have heard testimony from the Joint Chiefs and from many others that the leadtime for an operational SS-20 force would be as much as 6 months—and that we would find out about it before it became operational. Therefore, the covert force hasn't a great value to them if they have to hide it in the warehouse and then bring it out and retest it to use it.

This has been testified to again and again and again in these hearings.

Mr. Rostow. What I am saying is that the problem of verification is not very different in the one case than in the other.

I was never impressed with it because, in the early days, when we talked about this, when I was in the ACDA job, the argument that verification was an argument in favor of a zero option was put forward, but that entirely on the ground of satellite photography.

Now there is more to verification, as you say, than satellite photography.

Senator ADAMS. Yes, and an entirely different scheme and you want them all gone so that you can check through various means, which we won't go into in this public hearing, whether or not you have an operational system out there.

Mr. Rostow. Well, the only method on which we really rely—there were two—one was the satellite photography and the other was electronic surveillance of the system.

Senator ADAMS. And now we are using a certain amount of onsite, and we are going to the production system.

Mr. Rostow. Well, we have not done that yet. I welcome that, as I said in my prepared statement. That is a big step forward. There are many problems in it. Some of them Mr. Kraemer pointed out. Some of them I pointed out, and there are problems that will have to be ironed out.

It is a step forward, but we have not done it yet. And I am saying that the zero option gives you no advantage in that regard.

Senator ADAMS. Well, the concern that I have is that your whole paper goes to the point of delay, and you have two major objec-

tions. One we have just discussed. The second one is on page 5, and it is that this does not fit within a total politico-military significance. That is the way you describe it.

Mr. ROSTOW. That's right.

Senator ADAMS. We have had everyone from the Joint Chiefs to I don't know how many other witnesses here testify that in the total nuclear confrontation or deterrent system between the Soviet Union and the United States, where there are over 20,000 warheads targeted between the two nations, the removal of the INF system does not shift that military balance.

So, what I don't understand is why you are not saying ratify this treaty and go to the next problem. This has a particular military-political significance in helping us unify the European alliance with us. As Chancellor Kohl said yesterday and all of the other witnesses coming in have said, this is essential for our political cementing of NATO to put it together in a fair fashion that we ratify INF.

Your position goes contrary to that. I obviously do not agree with it, and I just wanted to know how, with 20,000 warheads, you felt that the removal of these numbers had a basic effect on our overall deterrence.

Mr. ROSTOW. I would be glad to answer your question, Senator Adams.

I remind you that the pressure to include the grey area weapons in SALT II negotiations during the 1970's, came from the Europeans, and particularly from Chancellor Schmidt, Chancellor Kohl's predecessor. And the reason why the Europeans—the Japanese and Chinese also, but the Europeans in particular—were so anxious about it was the declining credibility of our retaliatory threat to respond from the submarines or from our central intercontinental force within the United States.

Now, there was a perception that the retaliatory threat of those weapons, the offshore weapons, either in the United States or on the submarines, was declining in credibility, arose from the changing nuclear balance between us and the Soviet Union and particularly from the Soviet Union's enormous development both of ICBM's and of INF weapons.

That is what it was all about.

Now, when people say that we are going back to the 1970's, the 1970's were a period of great anxiety.

Now you say "Well, we'll get rid of the SS-20's." Splendid. But they have a lot of new weapons. All the targets that could be covered by SS-20's can also be covered by Soviet ICBM forces which exist in superfluity and by other newer weapon systems that are coming along.

So, the point is that if the INF Treaty is ratified and then nothing else happens, if the Soviets stonewall—

The CHAIRMAN. Excuse me for interrupting, but I would yield my time, as much time as the Senator needs.

Senator ADAMS. Thank you, Mr. Chairman.

I have heard your statement, Mr. Rostow, I simply would reply to you this way—and then, Mr. Chairman, I would yield back your time to you so that you may use it.

We have had witnesses, such as former Assistant Secretary Perle, who is certainly not considered "soft" on the Soviets, come in and state, which I believe also, that the fact of a nuclear exchange in Europe, tactical, theater, or from submarine launchers, creates the potential of a nuclear war which is holocaust and is deterrent. This is with leaving aside our central systems entirely. And, therefore, the presence or removal of the SS-20's is not a major strategic, what you call politico-military change in the balance between the United States and the Soviet Union on deterrence, and the Europeans consider it a plus to be rid of these weapons and use others.

Mr. Chairman, I will let the time go back to you so that you may ask what questions you want.

Mr. Rostow has had a chance to make his statement and I have had a chance to make mine. I appreciate your yielding to me your time.

The CHAIRMAN. Thank you very much.

In connection with the SCC—and this question is directed probably at Mr. Rhinelander, I would think—according to a 1978 report by the Carter administration, the SCC was doing a very good job at that time. "In case the activity in question has ceased or additional information has allayed the concern," was what was said then.

Then, later on, President Reagan said that "The SCC has failed to resolve any significant compliance issue in the approximately 1,500 days it has been in session over the last 13 years. A less-productive forum for the resolution of disputes would be difficult to find," et cetera, et cetera.

I myself have always had a rather high view of the Commission and particularly of General Ellis.

Which of these two views, Mr. Rhinelander, comes near to your own opinion?

Mr. RHINELANDER. The first comes nearer to mine.

I felt at the time we negotiated SALT I that the SCC was a tremendously important institution.

Now, I will say this, though. I think it has been underutilized, rather than overutilized. I am not going to say that the Soviet conduct has been perfect. It hasn't been.

But I think it is an extremely important institution. I think we must use it now, for instance, dealing with the large radar questions. These are very difficult and complex questions. At the moment, the instructions, apparently, to General Ellis are that he is not authorized to deal with these questions.

I think we should.

The CHAIRMAN. I made an error when I said that President Reagan had said that. It was in a letter, rather, or notice from Secretary Weinberger, who told President Reagan that, the adverse comment.

Mr. ROSTOW. Could I add a word on the SCC, Mr. Chairman?

The CHAIRMAN. Please.

Mr. ROSTOW. I thought that the criticism of SCC has been overdone. I think it is a useful institution, and I am inclined to think that it has been underutilized. I think that General Ellis is an extremely able person.

I think that the representative in the Carter administration time was a very able individual as well.

The CHAIRMAN. Thank you very much.

Mr. Kraemer or Dr. Steinbruner, do you have a comment?

Mr. KRAEMER. General Ellis' predecessor, twice removed, in the Carter administration, Mr. Buchheim, in 1981 or 1982, took note of the fact that he had never, as Commissioner, lain in the grass waiting for the Soviet grasshopper and said "Gotcha" about any violations. He was proud of that.

I found it distressing because it was not, in fact, until later that we caught them in violations and said "We gotcha" on several things, on several issues, and reported so to the Congress in a series of compliance reports mandated by the Congress.

In addition, the General Advisory Committee on Arms Control and Disarmament prepared an extensive report for the President which was later transmitted to the Congress. And the SCC, in each of these issues, the major points raised by us in demarches at the SCC, in each case the Soviets said there is nothing to it and in each case they made a countercharge, which we have reported to you also, about our own compliance record. What we call the Pell amendment report, sir, in the administration, would show how nonserious these Soviet countercharges are.

The Soviets have not used the SCC forum to resolve issues. That bodes ill for the INF Commission of a similar type.

The CHAIRMAN. Thank you.

Dr. Steinbruner.

Mr. STEINBRUNER. At least from what is known publicly in the professional community about this, I think it is believed that, in the past, the SCC has been successfully used to resolve issues and it frequently did take a significant amount of time, in which, in the early stages, charges and countercharges and unacceptable statements were made, sometimes by both sides.

There is a perception that more recently the United States has chosen not to use the SCC to its full potential, and that if it has not been, that some manner of blame attaches to both sides.

The CHAIRMAN. I have again a question for whomever would care to answer it. Maybe Mr. Rhinelandt would be the first.

Do you think there ought to be some kind of link between the INF Treaty and START?

Do you think that in achieving a START Treaty or agreement, the INF plays a role?

Mr. RHINELANDT. I don't think you should defer ratification of INF for START.

I think the constraints are incomplete. If you simply have an INF agreement in force and no SALT I or SALT II Treaty, and, therefore, no limitations on the longer range systems, you can simply obviate the constraints on these medium-range systems by building more longer range ones.

So, to have an INF which is something of substance, it has to be filled out by the START Treaty.

The CHAIRMAN. It was pointed out that, because we have no limit in the amount of sea-launched or air-launched missiles, the military effect of INF is negligible.

Mr. RHINELANDER. And the numbers involved in the INF Treaty, as you know, are not very great.

The CHAIRMAN. Right.

Mr. RHINELANDER. I think it is important. But it is much more political than military.

The significant military reductions would come from START I and START II if you move forward down that line there.

I would point out, though, that even if we reached a START agreement, as is presently being discussed in Geneva, the resulting forces, strategic forces, in terms of numbers of warheads and bombs on the United States and Soviet sides would be greater than they were in 1972, when we reached the SALT I accords.

The CHAIRMAN. Looking way down the road to a possible START II, would that be when you would have the other nuclear nations participating?

Mr. RHINELANDER. I think the further you look down the road in terms of deep reductions, the questions get much more complex.

There is clearly a point in time where the British forces, the French forces, the Chinese forces would have to be brought into the equation. Verification would have to move on a multilateral basis.

You would then have, of course, some other nations, which are the nuclear capable ones, which are not the five which were acknowledged at the time of the NPT.

But we have a long way to go, I think, before we get into these questions where even the third, fourth, and fifth nuclear weapons states become a major part of the scene.

The CHAIRMAN. Or the nuclear not-telling-the-truth countries, too.

Mr. RHINELANDER. Yes—a long way to go before that.

The CHAIRMAN. Mr. Rostow.

Mr. ROSTOW. Well, of course, I agree with the basic analysis which Mr. Rhinelanders has just stated, which is the analysis on which my testimony rests, namely that the effect of a change in one category of weapons has to be evaluated in terms of the equation as a whole.

I would simply put more stress than his statement did—although I know he would agree—that in dealing with the question, you have to deal not only with the intercontinental weapons, but with defensive systems as well in the present status and effectiveness of ABM. That is why I say that we have, at the minimum, to reach a common understanding with the Soviet Union as to what ABM means or what better agreement we can make, taking into account modern technology.

The CHAIRMAN. Thank you very much, gentlemen.

Senator Helms.

Senator HELMS. Again, thank you, Mr. Chairman.

Going back to our discussion that the Soviets are acknowledged to have an organized part of their government to deceive, to mislead us, to fool us, to snooker us, this directorate responsible for coordinating strategic deception, in the context of what they call "Maskirova," this department of deception, Dr. Kraemer or anybody else who wants to comment, I have a series of Soviet circumvention scenarios which a good many of our intelligence people and

others believe to be not only possible, but probable. I want to run down a list of them.

Each one of them is based on a loophole in this treaty, a treaty which was sent to us with the insistence that you must not touch this treaty, but you must rubberstamp it. You must question it, you must not amend it, you must not have a reservation or anything else—just trust us and trust the Soviets.

Now, as I read each one of these scenarios, I would like to have your comment on whether it is probable or possible.

Could not the Soviets retain a covert SS-20 force as large as 300 to 550 missiles, supported by nondismantled SS-20 infrastructure?

Mr. KRAEMER. Sir, you have mentioned the number of 300 missiles in publicizing a statement by Secretary Shultz in a letter to you that there were up to 200 to 400 SS20 missiles unaccounted for.

The infrastructure is a more difficult issue to assess, what they might be able to keep covertly underground, in forests, and so on. The Soviet Union is large.

I referred before to 36 missing SS-20 launchers. There might be other items and places that we don't know about.

The Soviets told us about a storage base in Latvia in the data, which our intelligence people had not spotted. It took us many months to discover the Krasnoyarsk radar, which is several hundred square yards in size.

Anything is possible, and the Soviet record on these things is not good.

Senator HELMS. Did you have a comment, sir?

Mr. ROSTOW. Senator Helms, there is a question. I agree with what Dr. Steinbruner has said, but there is a question.

Mr. KRAEMER. I'm Mr. Kraemer, not Dr. Steinbruner.

Mr. ROSTOW. I beg your pardon.

Senator HELMS. They both thank you.

Mr. ROSTOW. There is really no need to keep a covert force of older weapon systems, like the SS-20, good as it is, when the new ones are coming on so fast. It is possible that they could do that, but they really would not have an incentive to keep a covert force of SS-20's as such, would they?

Senator HELMS. Well, I keep hearing that, Mr. Rostow. But I believe the facts are to the contrary, and I say that with all due respect.

I mentioned this morning when you were not here a little project, that the Soviets were using probably the SS-20's to have what amounts to a sort of Star Wars modified thing. They tested that and are testing it over Finland, for example. So they have all sorts of uses for SS-20's.

Mr. ROSTOW. I did not mean to dispute your fundamental point, because the fundamental point is I think the same as the one I was trying to make. Until you deal with the equation as a whole, you don't know what is going to happen.

As Mr. Rhinelanders said, they can make offensive weapons, the new ones, and deal with all the targets that are now covered by the ones that are being thrown in.

Senator HELMS. But that takes time and money, you know; to build the SS-25.

Mr. ROSTOW. But they are doing that anyway.

Senator HELMS. I understand that. But they have all these covert SS-20's and there is not a soul into intelligence—I cannot get into what was said in a code level session—but we just don't know; nobody knows how many SS-20's they have.

The chairman said the other day that nobody knows.

The CHAIRMAN. We know the range, the approximate number, but nobody knows the specific number.

Senator HELMS. Well, we can't even come close to it.

Sir.

Mr. RHINELANDER. Senator Helms, I cannot answer the question of the 300 to 500, but, clearly, if they were to put a few missiles in caves or wherever you will, in warehouses, which we did not find, the question really has to be would they be militarily effective.

Unless you train forces with a weapon system, unless you test a missile system over time, then over a very short period of time that weapon system is going to degrade.

I can recall my days of active duty in the Army, when I was with a missile base. We went down to White Sands, NM, for the annual shoot of three missiles, and two went in the wrong direction.

You know, if you keep a system out for 1, 2, 3, or 4 years, you are going to have very, very low confidence in the ability of that system. So, I really think the question is how effective could it be, rather than is it conceivable.

It is obviously conceivable that there could be a missile or more than that around somewhere. Would it be an effective military force? I think without testing and training the answer is probably "No," clearly "No."

Senator HELMS. Well, how can we test the Pershing II's?

Mr. RHINELANDER. I don't know. But we certainly train the forces at the deployment site constantly, even though we don't take them down to White Sands or wherever we have a flight test, which is probably done annually.

Mr. KRAEMER. Senator Helms, may I comment?

Senator HELMS. Yes.

Mr. KRAEMER. I would say that 300 SS-20's are 900 warheads.

The entire U.S. Pershing force has 108 deployed plus a few spares.

Senator HELMS. Correct.

Mr. KRAEMER. The entire programmed U.S. deployment are those 108 PII's and 464 GLCM's for a sum total of 572.

So with 900 or more extra Soviet SS-20 warheads you are talking about an enormous factor. Is it militarily significant? Of course it is.

The launchers of the SS-25 could probably launch the SS-20's. When the inspector comes to the SS-25 base and lines the troops there up and says have you lately tested an SS-20, of course they will say no. But have they? Have they worked with the launchers or with missiles that are very similar?

It may be, of course, that there is degrading of untested SS-20's. Maybe the degrading at first goes from 95 percent to 90 percent, and after four years to 80 percent. But, even without flight testing that would still be some very considerable force of substantial military significance.

I believe, in any case, that we should not simply discount by using the work "degraded." The fact is that there could still be a very substantial SS-220 force, substantially larger than our entire INF force currently deployed.

Senator HELMS. You are exactly right, and that is the point I was making.

The Soviets, Mr. Rhinelander, had the SS-16's undetected for 8 years without testing, and they had confidence in them. Anyhow, they could use the SS-20's for training purposes.

Well, let me get back to my list.

The Soviets could, could they not, deploy a three MIRVed SS-25 ICBM now undergoing testing, thereby creating a variable range triple threat, super SS-20 completely outside of the INF Treaty, and we couldn't touch it? Isn't that true? Anybody can answer.

Mr. RHINELANDER. ICBM's are not covered by the INF Treaty. That is true.

Senator HELMS. Exactly.

But what I am saying is that they could deploy the three MIRVed SS-25's and it would do the same thing that the SS-20 would. It is an either/or thing.

Mr. RHINELANDER. ICBM's, SLBM's, heavy bombers, which are covered in START and not in INF, if they are not limited, they could be deployed and they could certainly be targeted at shorter range than the full range of the system. Yes.

Senator HELMS. And they can develop and test and deploy GLCM's in the guise of RPV's. They can create a large force of space-launched vehicles, which could be used as covert IRBM's, and there is a whole list of things which constitute what I consider to be dangerous loopholes in this treaty.

And yet, I keep hearing people say "Oh, you must not touch this treaty; trust us and trust the Soviets."

To both, I say "No."

My time is up, Mr. Chairman.

The CHAIRMAN. Thank you very much.

Senator Cranston.

Senator CRANSTON. I don't have any questions at this time.

The CHAIRMAN. Neither do I.

Neither of us have any questions at this moment, Senator Helms, so why don't you carry on.

Senator HELMS. All right.

Let's talk about the SS-16's just for example.

The Soviets—and I have to be careful what I say. Let me put this in the form of a question.

Is it a given that the Soviets have a stockpile of banned, covert SS-16 ICBM's that could be converted into covert SS-20's?

Anybody who wants to may answer.

Mr. STEINBRUNER. Senator, let me comment on the thrust of your question. Anybody can take any agreement and imagine circumvention procedures of this sort. If you apply a little commonsense, I think it would be useful to note a couple of things.

First, the incentives to use the SS-16 or the SS-20 are not very great, because the SS-25 is, in all probability, a much better system. You were correct in pointing out that the SS-25 is not yet contained. All of us are urging the United States to proceed with a

comprehensive strategic arms control arrangement that would contain that system. The next step is extremely important.

Second, to the extent that we have difficulty detecting whether some of the activities you are talking about are going on, clearly this treaty will give us some benefit. It introduces the principle of onsite inspection and cooperative verification measures. I don't think anybody believes this treaty accomplishes everything we want in that regard. But it is a breakthrough in the sense of its introducing these types of measures for the first time. Those measures have a potential of materially increasing our ability to monitor what goes on in the Soviet Union.

Moreover, if we proceed with the treaty and evolve the principles, we could get better at that. So, some of the problems that you are talking about we have some hope of getting better at in the future if we proceed with the treaty.

Senator HELMS. Yes. But the problem is that we get the Pershings out of there and they are out, and the Soviets still have these covert SS-20's. They have the SS-25, which is an either/or, a long range or a short range, and what happens then?

You say there is a small chance. That is sort of like saying there may be 100 missiles in Cuba but only 2 of them will be fired at the United States. Well, that two is very large, and I don't think we are protected in that situation.

Did you raise your hand, sir?

Mr. KRAEMER. No, sir. But I would like a chance, however, to answer a question that Senator Adams asked, which I did not have a chance to answer fully.

Senator HELMS. Fine. Go right ahead.

Mr. KRAEMER. It relates to the rush of the treaty.

He said he had heard testimony from distinguished officials that there was no rush. But let me just read you one sentence from a State Department spokesman on the issue of data at a January press conference in answer to a question posed by Congressman Kemp.

He said, "We all do know that from day to day we were dealing with different numbers, and we never had a chance in that busy period to figure out why the United States always seemed to have different figures."

That is the State Department commenting on the rush at the summit. I could give you other items.

There has been a rush.

The AEI study on the specific legal problems, definitional problems, ambiguities, in the treaty's actual provisions—now speaking in a technical sense—suggest undue haste and severe problems with the treaty itself. But, in addition, you have pointed out that if we remove our missiles and even if the Soviets fulfill the treaty, even if there were no ambiguities, even if they did everything properly, our own best deterrent—the land-based quick-strike deterrent, the reliable deterrent that was put in to fulfill the spectrum of response and that cannot be equaled because it is unique by any other system, the aircraft are too slow, the sea-based systems can be misinterpreted as a general strike, a general response instead of a regional one—that deterrent will have gone. And, far from moving into the next step of

START confidently, at the next summit, we will actually, I believe, be seeing momentum toward the denuclearization of Europe because the SPD's the Socialist Parties of Germany and elsewhere, and the Greens, will be extremely active in promoting the Soviet view that we must have nuclear-free zones, all nuclear weapons out, and chemical weapons free zones, as if there were the slightest chance of verifying anything involving chemical weapons because a very small stockpile can do very much damage. That is what will happen next.

Senator HELMS. I agree absolutely.

Dr. Rostow, about a year ago, I recall reading an interesting article that you wrote for Commentary.

Now, as I recall it, you drew a comparison between the Cuban missile crisis and the Reykjavik summit. As I understood it, you were arguing that the Soviets in both instances attempted to covert Soviet military strength into political strength.

Is that a fair summary of it?

Mr. Rostow. Yes, indeed. Yes, Senator Helms.

Senator HELMS. Specifically, you stated, and let me quote: "Gorbachev ambushed Ronald Reagan at Reykjavik. Gorbachev is demanding that the United States draw the obvious conclusion from the fact that the Soviet Union is a stronger military power than the United States and that its military strength is growing more rapidly than ours."

Then you went on to ask this question, and I am quoting: "Is the West under the pressure of nuclear blackmail?"

Now, as you well know, as all of us know, the Soviets last fall chose to use Hawaii for target practice for one of their ICBM test launchings. My question is, Do you see this type of episode, the Hawaii episode, as another attempt by the Soviets to demonstrate their military power and their military confidence?

Mr. Rostow. Yes.

All of these episodes have that implication. The attacks in the Swedish and Norwegian harbors certainly have that implication, demonstrations of tremendous power and of great brutality in its possible use.

I said, and I think this is the heart of my testimony, that we are now facing the question, the fundamental question before your committee, whether the changes in atmosphere and the changes in formulation that Mr. Gorbachev is carrying on in the Soviet Union, are they changes of substance or are they changes simply of style?

I think no one can really answer that question categorically today, and I think we should take no chance on it because too much is at stake.

We are not dealing now with the question of an outpost like Cuba, or some kind of cooling station, but we are dealing with the central issue of national security, the battle for Europe. This is because as the battle for Europe goes, the battle for Japan and China will go.

Senator HELMS. Right.

Mr. Rostow. So, we are dealing here with something fundamental.

We should take no chances. And if we assume, as we must for the moment, that Mr. Gorbachev has not changed his fundamental policy, but changed his style and his tactics, then I think we should

be extremely careful before we take the long step toward denuclearizing Europe, because that is what Ambassador Karpov said the other day and it has been said repeatedly in the Soviet press and by other Soviet spokesmen. They want to denuclearize, that is to say, to neutralize, Europe. And if that happens, we will have suffered an enormous and very dangerous geopolitical defeat.

Senator HELMS. And they want to unify Germany, too, and you know how it will be unified.

Mr. ROSTOW. Well, they dangle that, of course, and it is very tempting. There are those in Germany who respond.

Senator HELMS. I was at lunch with some Senators yesterday, I think it was, and they were wondering out loud whether this treaty is not, in effect, what you call nuclear blackmail in your article. You know, they have us between a rock and a hard place.

We are being told by our own people that "boy, if you change one syllable, one jot or one tittle of this thing, then the Soviets are not going to go along."

I take the position well, fine, if we can't protect ourselves and change things that need to be changed, we are a bunch of dupes. My time is up.

I thank you gentlemen.

Mr. ROSTOW. Senator Cranston, are you chairman now?

Senator CRANSTON [presiding]. Yes, for the moment, please go ahead.

Mr. ROSTOW. Could I ask for your indulgence for an additional comment?

Oh, I see that Senator Pell is back.

Mr. Chairman, may I ask for 1 minute of time to clarify the record on a question you asked me?

The CHAIRMAN [presiding]. Certainly.

Mr. ROSTOW. You called attention to the implication that I had overstated what Ambassador Smith said in 1972, in his very important statement. I had a chance thereafter to take a look at the sentence of my prepared statement.

I said there that he had declared that "the supreme interests of the United States' preclude final agreement on one part of the nuclear equation until the others are dealt with as well."

I think, I hope, I intended, at any rate, that "preclude" would take into account the conditional character of his verb "could." I did not intend, I hasten to say, to misstate his view, and I apologize if, by inadvertence, I have done so.

The CHAIRMAN. I was looking at your statement, which has a slightly different shade of meaning.

It says, "In 1972, we ratified the ABM Treaty and declared publicly that we would abrogate it unless we could obtain a satisfactory agreement on offensive arms, just as we threatened to abrogate the 1972 interim agreement," and so on.

Mr. ROSTOW. Yes, that is a mistake. That "would" should have been "could."

The CHAIRMAN. That is what I was talking about.

Mr. ROSTOW. I would like also to respond to a comment that Mr. Rhinelander made, that he knows of no one involved in the SALT I negotiations who accepts the Sofaer doctrine of interpreting the treaty, except for Paul Nitze.

Well, I have talked also to Haig and Kissinger, both of whom had a very large part in that affair, and they both fully agreed that the Soviets took the Sofaer view at the time of the negotiations and for a long time thereafter, and that is why agreed statement D is there.

I have never gone into it in great detail, but I have read some of the controversy after it blew up, and it seems to me that, while the legal theory of the opponents of the Sofaer doctrine is a perfectly plausible bit of legal theory, it does not explain why agreed statement D is there at all.

Agreed statement D would be redundant if their interpretation of the treaty were accepted.

The CHAIRMAN. I appreciate the thought, and I am getting the record out. I believe that Ambassador Smith made a statement on this subject, but I would like to have it in front of my eyes before I quote it to you.

Mr. Rhinelander, did you have a comment?

Mr. RHINELANDER. Senator Pell, I think what you are referring to was later identified as unilateral statement A, as it was printed in the committee record.

The CHAIRMAN. Exactly.

Mr. RHINELANDER. It was delivered by Ambassador Smith on May 9, 1972.

I can recall the care with which that language was crafted before that statement was given.

The key words in there are "could," "would." It was all conditional, as you have pointed out in your questions.

The CHAIRMAN. Right.

Thank you very much.

My attention is drawn to the quotation to Ambassador Smith given in March of last year. Ambassador Smith said the following: "I asked Henry Kissinger within the last 4 days what were the facts and he said, 'I assure you that the delegation carried out its orders,' and he said, 'And I don't mind your stating that in testimony.'"

Mr. Rhinelander may choose to comment on that, perhaps.

Mr. RHINELANDER. Senator Pell, as you may know, I have written and testified many times on this whole question of the interpretation before this and other committees.

Recently, I wrote an article which was published in the September issue of Arms Control Today. I think the record is persuasive—persuasive that the U.S. Government developed and the Soviets accepted what is now called the "traditional interpretation."

I think the so-called Sofaer reinterpretation is directly contrary to not only the text, but the whole purpose of the treaty. The treaty is gutted if that is accepted.

In terms of subsequent practice, in terms of the negotiating record, I think it is cold.

I think Senator Nunn, in the reports which he put out, has really put out a devastating critique of a document which I think was really rather frivolous.

[The information referred to appears in the appendix.]

The CHAIRMAN. Thank you very much.

Senator CRANSTON. I thank all of you for your presence and for this opportunity to listen to you, to ask you some questions, and to talk with you.

First, Dr. Rostow, I would like to ask you about one sentence in your statement, which I think you did not quite mean the way it came out.

It is on page 14, in the middle of the last paragraph. You said, "But more than 20 strenuous and disappointing years of nuclear arms negotiation should persuade us that we have no right to risk the security of the Nation until we have a firm and tangible basis for confidence that the Soviet Government, under Mr. Gorbachev, has indeed abandoned its policy of indefinite expansion backed by overwhelming military power."

I am sure you did not really mean to say that we should at any point risk our security. So, the word "until" probably is a word you probably would like to replace with some other word.

Mr. ROSTOW. I hadn't thought the sentence could be read that way. You are quite right, Senator Cranston. I certainly don't want to say that we should ever risk it.

Senator CRANSTON. I am sure you did not.

Thank you.

Mr. ROSTOW. I thank you very much for an editorial change that I appreciate.

Senator CRANSTON. We had some discussion this morning of violations by the Soviet Union, how many and extreme they are, how many are ambiguous. I believe the real issue is not whether the Soviets scrupulously adhere to treaties. The issue not trust, but verification, as the President pointed out when Mr. Gorbachev was here.

So, the pertinent questions really are, first, are our military and intelligence establishments satisfied that we can detect Soviet violations of INF?

The answer to this committee from those responsible for intelligence matters in our country has been "Yes."

So, debating past Soviet corner-cutting on treaties really is somewhat irrelevant.

The point that we should be making about these past alleged violations is that the fact that we know about them proves that we have the ability to verify. This leads to what I think is a more important question: What should we do if we detect INF violations?

I would like to put that first to you, Mr. Rhineland.

What should we do if we do detect INF violations?

Second, should we attach an understanding to the treaty specifying what we will do in the event of violations being discovered.

Mr. RHINELANDER. Let me answer your second question first.

I would not attach a reservation because I don't know what fact situation we are talking about, and I don't think anybody knows that.

Let me deal with the INF question, first of all, by dealing with a present case which we have now of Soviet conduct, which is that large radar at Krasnoyarsk, which I think is a violation right now.

I think in that case, that radar, which is of marginal military utility, from what I know, ought to be dismantled. I think it is a violation.

I think you have to deal with these questions one by one.

A lot of these questions, as you know, deal with really quite ambiguous treaty obligations. On the encryption question, clearly the Soviet encryption has been very heavy. Does this mean that it was a violation of SALT II? I don't know what the proper answer was.

I think it is remarkable, at least based on the public record—and I don't have access anymore to the intelligence world—it is remarkable the information we have in terms of Soviet systems which are subject to SALT I, SALT II and the other agreements.

I think you deal with them one by one. You look at it.

You first of all have to ask is it in conflict with what we believe the treaty means? Is it militarily significant?

I can recall in one case with respect to the SALT I interim agreement, where the Soviets had one more submarine out than they should have, and I think they came to us and they said we recognize this—I was not involved in the Government then—but it is a question of whether they had completed the dismantling or they had completed the dismantling process far enough to take it out of the count.

So, I think you cannot generalize. You have to look at them.

The large radar at Krasnoyarsk, which I believe now is the one, clear, violation of an existing agreement, I do not believe is militarily significant. It does not mean that we should sit still. But I think we have to look at it in terms of the military importance, in addition to whether or not we believe it violates one of the agreements.

Senator CRANSTON. As for Krasnoyarsk, we found out about it, we complained, and there are indications that they are no longer building that plant. But I don't know if that is correct.

Mr. RHINELANDER. I understand that they have stopped construction. But I don't know what the intelligence shows.

I also understand that in Geneva, they first of all offered to swap Krasnoyarsk—presumably, that means take it down—in return if we did not complete the construction at Thule or take that one down and did not go forward with the new radar at Fylingdale Moor.

That was rejected by the United States on the theory that what they were doing was a violation and what we were doing was legal, and we were not going to get into a negotiation there.

I think it then went to a one-for-one deal.

Senator CRANSTON. Is there a question about the legality of what we are doing?

Mr. RHINELANDER. There is a question. But it is not a clear-cut question.

I have written that, on a scale of zero to 100, where 100 is a complete violation, zero is absolutely OK, and 50 is right in the middle of ambiguity, I would put Krasnoyarsk at about 95, about as high as you can get in this uncertain world. I would put Thule at about 60 and Fylingdales a little higher, at about 70.

I think they raise significant questions. But they are not clear-cut. But they are not obviously in compliance with the ABM Treaty.

Now, one of the things which I simply cannot advise you on and you would have to talk to members of the administration on this is

where the U.S. Government saw this in 1972, when the ABM Treaty was negotiated.

I have read documents in the public domain that we looked at this explicit question in the fall of 1971, while we were negotiating the ABM Treaty, and that was whether we could modernize these third country radars, decided that we could not, under the language that we were putting forward, but decided that we were not interested in doing so, so we went forward and got agreement with the rest of the language that we were proposing.

Now, I don't know, I don't recall at all, the negotiation with the Russians on it. But I will simply say that it is an area which is far from clear.

Now, it is not the military significance of the Krasnoyarsk radar. It is not on the periphery. It is obviously for early warning. They don't have another use for them. The radar in Thule is early warning. It is not battle management.

But these are questions which ought to be looked at.

I think this is a great example. Some of these so-called compliance questions involve ambiguous treaty obligations, and it is important to go back and deal with the treaty terms in addition to the factual pattern.

Senator CRANSTON. Thank you very much.

Yes.

Mr. KRAEMER. I only wish that all Senators, all Congressmen and the entire public had the benefit of a 2- or 3-hour briefing, unclassified to those who cannot have classified briefings, and classified to those who can, on the compliance findings of the administration. The interagency work is very difficult. It has the highest integrity.

I found when I worked on this issue in the National Security Council that perhaps two Congressmen and maybe three Senators took the time to listen regularly. The Arms Control Association, turned down briefings, having denounced the first report. In early 1984, it took them a month to get together and then had a briefing from two senior officials of the highest integrity.

I think they benefited from it.

I believe, at the same time that if people studied the administration's so-called "Pell reports, which deal with our own compliance, they would feel far more assured than has been indicated by my colleague here about our record in contrast with that of the Soviets.

I would make the recommendation that if we catch the Soviets in noncompliance, that should trigger no further reductions by the United States in any treaty-limited items. We should phase our force reductions in such a way so that at any time we can look around, or at intervals, let's say that after 1 year so, that if the Soviets have not complied with verification, if we have any serious problems, we do not go further.

We could also trigger safeguard programs. Make the Montebello decisions work. Let's have some safeguards there so that if, as is possible, the Soviets do not comply, we can have some military programs accelerate deployment to assure an adequate deterrent.

Senator CRANSTON. Let me say that I have gone through endless briefings on compliance and verification. The bottom line, as I have stated before, of people who are responsible for verification for our

country, and the head of the CIA and others, is that they have said that they are able to give the policymakers adequate information about compliance or noncompliance.

Did you have a comment, Mr. Rhinelander?

Mr. RHINELANDER. Yes, let me correct the record.

The administration did offer briefings to the Board of the Arms Control Association a number of years ago, and those of us in town, that I recall including Gerard Smith and I took it up and we were fully briefed.

Mr. KRAEMER. That is not in contradiction to what I said. I said that the Arms Control Association denounced, before the administration's January 1984 report was issued, the content of the report. It took them a month to then have the briefing, which we had offered already before the report. They did come. It was a 6-hour briefing in the State Department. I think they benefited from it and believed that there was substantial integrity, real integrity, in that effort.

Senator CRANSTON. I don't know who or who has not accepted all briefings that have been offered. I know that I have been through an endless number, as have a number of other Members of the Senate, of this committee, the Intelligence Committee and the Armed Services Committee.

Concerning our own radar, I asked a question, do the Soviets have some question about its legality, and you indicated, Mr. Rhinelander, that you feel there are legitimate questions.

Mr. RHINELANDER. Yes.

Senator CRANSTON. I understand that the Air Force Chief of Staff testified to Congress that the radars at Thule and Fylingdales are potentially "in conflict" with the ABM Treaty.

Mr. RHINELANDER. I believe that was testimony of about 1980, is that correct?

Mr. ROSTOW. I believe 1980.

Senator CRANSTON. I am not sure of the date.

My time is up.

Do you have anything more that you want to do now?

The CHAIRMAN. No, so why don't you continue.

Senator CRANSTON. Thank you.

Dr. Rostow said in his prepared text, "It would be more practical and more convincing to delay the ratification of INF until the negotiations in Geneva on START and space questions run their course."

It has been my impression that the Soviets are very unlikely to sign off on START until they are assured of Senate recommendation to ratification of this treaty, because, if the Senate is not going to take this relatively modest step in terms of ratifying this treaty, they don't want to be in the position of going ahead with a much more far-reaching treaty because they would make the logical assumption if we won't approve this, we are not going to approve that.

Wouldn't you feel that if we put INF on ice until we have negotiated START or space questions or conventional that that would mean a very long delay and, quite possibly, a breakdown in the process?

Mr. STEINBRUNER. It would certainly damage the process, Senator.

I think there is an issue with the Soviets, and, in fact, with the rest of the world, as to whether the United States can ratify a treaty, whether it can discipline its own process to come to a conclusion.

This treaty has very substantial support nearly everywhere. In Europe, certainly the net judgment is overwhelmingly favorable. In many ways it is the most obvious of steps. If we cannot ratify this, I think there will be a question as to whether our political process can come to any decisive result. So, I would think it is not a good idea to delay ratification of this treaty. That is the burden of my testimony.

Senator CRANSTON. There is one other question that I would put to you regarding SALT II limits.

In May 1986, President Reagan announced that the United States would abandon its policy of informal adherence to the limits of SALT II. By rejecting informal restraint, the Soviet Union could add new strategic forces to compensate for reducing or eliminating its SS-20's.

Those new strategic forces could be programmed, as we all know, to cover the same targets as the SS-20.

Do you believe that this situation undercuts the military significance of the INF Treaty, and do you think the United States should adopt a policy of informal adherence to the key limits of SALT II, seeking to get the Soviets to agree to a similar understanding? Would that prevent the Soviet Union from undercutting this agreement by increasing the number of its strategic delivery vehicles?

Mr. STEINBRUNER. Certainly the significance of the treaty depends ultimately upon the framework, a larger framework containing the strategic forces as a whole, for exactly the reasons you mentioned.

I think it would be desirable to maintain the limits of the SALT II Treaty by whatever means it is appropriate to do so, to signal our intention to have restraint on strategic forces generally and to do all that we can in advance of a formal agreement to bind the Soviet Union in a similar intention.

It is obvious that this particular treaty has only limited military significance in isolation from a general strategic agreement. The provisions you mentioned would help make that point.

Mr. KRAEMER. Senator, the administration's interim restraint policy, announced in 1986, includes the President's assurance that we will not have more strategic nuclear delivery vehicles, more strategic ballistic missile warheads, than the Soviet Union. That is already part of the policy.

If, however, you want to go back into what you call the key provisions of SALT, one of which involves certain limits exceeded by the Soviet Union, you are picking and choosing between provisions of an agreement and a contract already broken. That is not a good precedent, in my opinion, for any contract, any law, and not for any arms control.

Senator CRANSTON. Well, of course, SALT II is a treaty that we have no longer abided by, and we have broken it in one respect.

Mr. KRAEMER. It expired December 31, 1985.

Senator CRANSTON. Yes.

I have no further questions.

The CHAIRMAN. Thank you very much, Senator Cranston.

I have just a couple of points and details.

Does not the possible use of the SS-25s to target Europe underscore the importance of moving on with a new START agreement, to control the strategic weapons?

I am curious if any of you had a reaction to that?

Mr. Rostow.

Mr. ROSTOW. Well, of course, I emphasized that it is indispensable that we do so, not only to move ahead on START but also to move ahead on clarifying the position on defensive systems.

I take it so seriously that I would do it first. That is all.

The CHAIRMAN. Thank you.

Mr. RHINELANDER. I identified in my statement, Senator, that moving to completion of START I think is the top priority in this field.

I would not link ratification of INF to START. But I think that reaching a START agreement is fundamentally important.

I believe there is a chance that this could be done during the term of President Reagan. I certainly hope so.

The CHAIRMAN. But from the Soviet viewpoint, they will not want to move, I would think, if they did not see that INF was going to be ratified. They would have little faith that the agreement could be carried out.

Mr. RHINELANDER. I would think the Soviets, looking at our recent record, where the last three arms control agreements that we have signed with them have not been ratified, would be slow, in terms of making significant changes, those key kinds of changes that you make in the last day or the last 30 minutes, as Paul Nitze used to say, until they know whether INF is going to go into force. That is correct.

The CHAIRMAN. That is correct.

Mr. Kraemer, Dr. Steinbruner, do you have a comment?

Mr. KRAEMER. As I have said before, I don't believe we should pay the price, for either INF or START, of in any way delaying the early phased and accelerated deployment of SDI. That is a price that apparently is being paid politically with the former agreement, and may be paid at the negotiating table with the latter.

I would think that compounds the difficulty of answering your question.

The CHAIRMAN. I thank you gentlemen very much for being with us.

Senator CRANSTON. Mr. Chairman, I have one further comment.

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. I would just like to clarify one point.

On the Presidential statement on interim restraint, which was issued on May 27, 1986, it says the following: "Assuming no significant change in the threat we face as we implement the strategic modernization program, the United States will not deploy more strategic nuclear delivery vehicles than does the Soviet Union. Furthermore, the United States will not deploy more strategic ballistic missile warheads than does the Soviet Union."

That, in effect, is not a sign of great restraint since it so happens that the Soviet Union has about 500 more of each than we have.

So, if we abide by this, we can still be building 500 more of each, and there are members of the Armed Services Committee and others that have suggested that if we are going to try to restrain the race and hold where we are, we should do a little bit more than what the President's statement suggests.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, indeed, and thank you, gentlemen, for being here. You have been excellent witnesses.

We will meet again at 10 o'clock on Monday morning to hear public witnesses.

This hearing is recessed.

[Whereupon, at 4:01 p.m., the committee recessed, to reconvene on Monday at 10:01 a.m., February 22, 1988.]

PREPARED STATEMENT OF GEN. BERNARD W. ROGERS

You have asked me to discuss a number of current and prospective issues relating to NATO, especially the impact of the INF Treaty upon NATO's strategy. I am pleased to have this opportunity to present my views as the former SACEUR who for the past eight years bore some direct, personal responsibility for the security of the West in Europe. Serving 16 nations, 14 of which are in or near continental Europe, I evaluated proposals, exercised judgement and made recommendations and decisions against the criterion of what is best for NATO as a whole, not what is best for the United States or any other nation or group of nations. That is the perspective which I bring to this chamber today.

THE CURRENT BALANCE OF FORCES

First, let me turn to the current balance between the forces of NATO and those of the Warsaw Pact (WP). In the aftermath of the Cuban missile crisis of 1962, when the Soviets declared that never again would they be "faced down" militarily by the West, we at SHAPE (Supreme Headquarters Allied Powers Europe) have measured the gap between NATO's force capabilities and those of the WP. Between 1973 and 1986 we found that, in every area to which we could put a yardstick, the gap between NATO's conventional force capabilities and those of the WP was widening to the detriment of NATO. Where the Pact had been ahead of NATO in 1973 — which was in most areas — the gap has widened. Where NATO was ahead in 1973 — such as with armed helicopters — the WP has either now surpassed NATO or has narrowed the gap. In almost all areas the WP surpasses NATO by a ratio of 2:1, and in some areas the ratio is considerably greater. Further, NATO can no longer depend upon qualitative superiority to compensate for the quantitative disparity of its forces vis-a-vis the Pact.

I realize that there are some persons who would wish to redefine the Pact threat to NATO by citing certain intangible factors that appear to favor the Alliance. They point to the fidelity of the NATO nations to the cause of the democratic West as contrasted with the potential lack of such

faithfulness on the part of non-Soviet Warsaw Pact (NSWP) nations to the Soviet cause. Such observers of the threat also argue that the morale of the Pact troops is low, the quality of Pact military leadership is poor, the level of Pact training is inadequate and the state of readiness of Pact forces is low. I admit that these and other intangible factors for both the Pact and NATO are important in trying to weigh the balance between the two, but I also believe that we must be very careful not to use such intangibles to delude ourselves into a false sense of security. The threat is there, it is real, it is high and it continues to grow. Every year that passes the gap between the force capabilities of NATO and those of the WP gets wider, to NATO's detriment.

My major concern for the past decade has been — and continues to be — that even for an alliance whose mission is deterrence of war, this gap might widen to the point where the military situation for NATO would get beyond restoration and the Soviets would accomplish their objective in Western Europe: against the backdrop of massive conventional forces, which can threaten to seize and hold territory, to achieve the capability to intimidate, coerce and eventually neutralize the West European nations without having to fire a shot. I also believe that the INF treaty has the potential to accelerate the Soviets' achievement of that objective. But more about that later.

NATO'S STRATEGY

You have asked if NATO's deterrent strategy of Flexible Response (MC14/3) that replaced the bankrupt policy of "massive retaliation" (MC14/2) in 1967 remains viable. I believe that it does and will continue to be an appropriate and adequate strategy provided:

- ° The means needed to implement it properly are furnished.
- ° The nations demonstrate the will to implement the strategy.
- ° The strategy is not undermined by the arms negotiating process.

I hasten to add that the record will show I am a long-time advocate of arms control negotiations, because I believe that only they can provide the kind of a future all of us want. However, for me as SACEUR, I contend that a cardinal principle applicable to negotiating such agreements is to accept none which impacts adversely on the credibility of NATO's deterrence in the mind of the Soviets.

Deterrence of aggression and intimidation/coercion resulting from the threat of aggression is NATO's mission. If NATO should ever need to fight to secure its territory and nations' freedom, then it would have failed in its mission. But deterrence is in the eye of the beholder, in this instance the Soviet Union. As NATO policy documents set out: if NATO's deterrent is to be credible, the Soviet Union must perceive that, if she and the Warsaw Pact were to aggress against the Alliance, she would suffer greater disadvantages than advantages. In short, suffer greater pain than gain.

To ensure NATO's deterrent is credible, there are three major instruments provided by NATO's strategy and its policies. The first tool is to be found among the three responses envisioned by Flexible Response. The first and preferred response is direct defense to defeat an attack or to force the burden of escalation onto the shoulders of the aggressor. The second response, and one of the 3 key tools to credible deterrence, is deliberate escalation by NATO to include the possible first use of theater nuclear weapons. The Soviets may doubt that NATO would ever resort to such first use when failing in a conventional defense — even though NATO's alternative would be capitulation — but they cannot be certain. This uncertainty, this incalculability, is an important factor in NATO's equation of deterrence. The Soviets must always face the ultimate risk that Pact aggression would lead to NATO's initial use of theater nuclear weapons which might well escalate to the strategic nuclear exchange, which is the one thing I believe the Soviets fear. The loss of twenty million citizens in WWII still preys on the minds of older Russians. The Soviets

realize their losses from the West's strategic nuclear strikes would be much higher; the Chernobyl accident undergirds that realization.

The third response is the General Nuclear Response, the ultimate guarantor of NATO's deterrence.

The other two major tools for keeping the credibility of NATO's deterrent high are set forth in the "Political Guidelines for the Employment of Nuclear Weapons" by NATO. They are:

- ° The ability to strike militarily significant targets on Soviet homeland with land-based theater nuclear weapons. (The Soviets must understand that their country would not be a sanctuary should they aggress, and that the consequences of Pact aggression would not be borne solely by the victims of that aggression.)
- ° The possession by NATO of credible escalatory options between its disadvantaged conventional forces at one end of its force spectrum and its strategic nuclear forces at the other.

NATO'S SCENARIO FOR PACT ATTACK

Let me digress at this point to remind you of the scenario which NATO would most probably follow — and which it exercises — should the Soviets/Warsaw Pact attack conventionally. Even under optimal conditions — especially appropriate and timely political decisions to get our forces best prepared to defend — SACEUR would be required to request the release of nuclear weapons in less than two weeks after the Pact attacked. This would not be the result of our troops not performing well — they would. The reasons are two:

- ° A lack of sustainment by the forces of Allied Command Europe: insufficient trained replacements for casualties, inadequate stocks of ammunition, and not enough prepositioned war reserve stocks to replace

materiel losses on the battlefield. (The US ability to sustain its forces is better than most of its allies — it should be in view of the length of its lines of communications. Still, it has some deficiencies.)

- ° The political directive to SACEUR that before he loses the cohesiveness of his conventional defense (i.e., subject to penetrations by Pact forces on a fairly broad scale) he will — not may — request the release of theater nuclear weapons.

When he requests the initial release of nuclear weapons, SACEUR would seek the use of a relatively small number in order to strike militarily - significant Soviet targets on both Soviet and non-Soviet Pact soil (certainly not on NATO soil). The purpose of this first use of theater nuclear weapons is to cause the Soviets/Pact nations to cease and desist in their conventional attack. Simultaneously with the nuclear strike there would be messages sent through political channels to:

- ° The Soviets advising them that they and their Pact allies would continue to suffer additional nuclear strikes if they did not withdraw their conventional forces; and to
- ° The other Pact nations advising them that NATO is striking — and will continue to strike — Soviet military targets on their soil because of their having joined the Soviets in aggressing against NATO; thus, they should stop their attack.

The Soviets/Pact nations must then decide if they wish to "cease and desist" or to continue their conventional attack — with or without nuclear weapons — and thereby run the risk of the situation escalating to the strategic nuclear level of which they are fearful. To get the Soviets/Pact nations to that juncture, NATO must possess theater nuclear escalatory options so that it does not face the choice of either capitulating to the

conventional attack or resorting to strategic nuclear forces. (Shades of NATO's former, and long since bankrupt, strategy of "massive retaliation".)

FROM TWO-TRACK TO DOUBLE ZERO

It was to provide such escalatory options with theater land-based nuclear weapons that could hold Soviet military targets at risk on both Soviet and non-Soviet WP soil that NATO decided in December 1979 to deploy the ground launched cruise missiles (GLCMs) and Pershing II (PII) ballistic missiles in Western Europe. A gap in our spectrum of deterrence had developed which needed to be filled. The only weapon platform NATO then possessed which could meet the political guidelines was the US F111 aircraft based in the UK and the British Vulcan aircraft. The latter was about to be withdrawn from service leaving only the F111 which had any chance of penetrating the extensive Pact air defenses. NATO concluded that the F111 by itself was insufficient for credible deterrence, thus the deployment track of the two-track decision of December 1979. The second track was a negotiating track, but the pacing one was the need to deploy the longer range intermediate nuclear force weapons. However, without the negotiating track there would have been no NATO consensus (unanimity) on the deployment track. Despite the concern about the negotiating track expressed by some at the time, it was agreed that two tracks were better than none; thus, the two-track decision.

The deployment decision was "sold" to the Alliance publics as having the purpose of capturing the Soviet SS20 ballistic missiles. But that was not the case. The decision had been taken in order that the gap in NATO's deterrent would be filled. The fact that the SS20s were starting to be deployed at the end of the 1970's only made it more urgent that NATO get on with deciding to deploy its LRINF weapons.

By 1981 there were a number of demonstrations being staged in West European nations against deploying the LRINF on their soil commencing in December 1983. To assist in dampening down these demonstrations it was

suggested that, if the Soviets would destroy their SS20s and SS4s, NATO would not deploy its new class of LRINF weapons. President Reagan publicly offered such a zero level proposal later that year. No one, on either side of the Atlantic, believed that the Soviets would ever accept it. (In fact, it has been reported that the Minister of Defense of West Germany even promised to crawl the 240 miles from Bonn to his hometown if the Soviets ever agreed.)

In response to queries at the time, I stated publicly that the zero level LRINF proposal was "a magnificent political ploy, but militarily it gave me 'gas pains' because it would return NATO to its unsatisfactory posture of 1979." My position has not changed.

The Soviet leadership did not then accept the proposal, even though its advantages all were on the side of the Soviets. However, the proposal did have a quieting effect on the demonstrations.

In December 1983 NATO commenced deploying the US LRINF. The Soviets left and then returned to the LRINF negotiating table. A number of proposals for LRINF reductions were tabled. In late 1986 a hurriedly assembled summit meeting between President Reagan and General Secretary Gorbachev was held in Reykjavik.

Serving in Western Europe at the time, I observed that when the West Europeans learned what had occurred at Reykjavik they were astounded. They could not believe that the very foundation upon which NATO's deterrence rests — the nuclear weapon — was almost negotiated away. They were equally unnerved by the fact that the two superpowers had been negotiating the fate of Western Europe over their heads without their being consulted by the US.

After the summit, the West Europeans realized that Gorbachev might be prepared to accept the zero-level proposal for LRINF. A number of senior members of NATO and of Western European governments then decried the

folly of their having fostered such a proposal. But they pointed out that they would have to accept Gorbachev's agreeing to it. To go to their people after trying to convince them since 1981 that zero-level was the desired solution and tell them that they, the governments, had misled them for all that time would result in a major blow to the credibility of the politicians. It was at that point that political credibility and expediency took priority over the credibility of NATO's deterrence.

When Gorbachev agreed in February 1987 to zero-level for LRINF, and then threw in the Soviet shorter range INF as well two months later, NATO found itself hoist with its own petard. But, as Henry Kissinger has pointed out, we "should not blame Gorbachev for accepting proposals that should never have been made."

THE INF TREATY

There are a number of positive aspects of the INF Treaty. It has demonstrated that NATO unity, resolve and strength will cause the Soviets to get to the negotiating table and to negotiate seriously. For the first time, the Soviets have agreed to on-site inspections and to asymmetrical reductions. All of these aspects of the treaty may prove very useful in the negotiation of future reductions of other forces.

However, the INF treaty concerns me for a number of reasons. (I remind you again that as former SACEUR I evaluate such agreements against the backdrop of what is best for NATO as a whole.)

- ° I am concerned that the treaty violates the cardinal principle I enunciated: it reduces the credibility of NATO's deterrence in Soviet eyes. NATO is giving up the PII ballistic missile, a weapon which can penetrate the Pact air defenses with certainty, can reach targets on Soviet soil within thirteen minutes and is very accurate. This is the weapon the Soviets fear most and were out to capture — irrespective of the cost

-- because it puts the Soviets in the same posture in which they have had the West European nations for years: vulnerable to nuclear attacks by theater land-based weapons platforms. That posture made them extremely uncomfortable. Further, the PII, coupled to the US strategic nuclear forces, keeps the credibility of NATO's deterrence very high in the Soviet mind. NATO will be eliminating both of the credible LRINF escalatory options between its conventional forces and strategic nuclear forces, returning NATO to its posture of 1979. And what has occurred in the meantime to change that posture? Only that the Pact air defenses have grown more extensive and have become more sophisticated, making them even more apt to prevent NATO aircraft from penetrating.

- ° I am concerned that the treaty puts NATO on the slippery slope of denuclearization of Western Europe, a long-time stated objective of the Soviet Union. Its denuclearization would make Western Europe safe for conventional war, or more likely, subject to intimidation, coercion and eventual neutralization from the threat of aggression by Pact conventional forces. This treaty reduces the range of NATO's nuclear weapon systems from 1500 miles (GLOMs)/ 1100 miles (PIIs) to less than 300 miles. The ranges of NATO's residual weapons will mainly cause them to strike German targets -- either in East or West Germany. It is for this reason that we have noted some West German officials -- with Soviet and East German support --pressing for a third zero-level agreement to eliminate the remaining short range nuclear forces (SNF) and further denuclearize Western Europe.
- ° I am concerned about Soviet compliance with the treaty's provisions. It would be a first for them. I recall the numerous occasions on which I listened to this

administration's briefing teams trying to convince its allies that the Soviets had been and are violating the ABM Treaty and the SALT agreement. Why should we have greater confidence that the Soviets will now comply with this treaty, even though it provides for more stringent verification procedures? And what would be our recourse should the Soviets not comply? Return the LRINF weapons to West European soil? That would not be feasible.

° I am concerned about the rationales being presented to justify this treaty which I believe tend to mislead the people of NATO on both sides of the Atlantic.

°° One rationale is: "There will remain 4000 nuclear warheads in Western Europe which surely will be sufficient for deterrence." (Keep in mind that for NATO's deterrent to be credible it must conjure up in the Soviet mind a perception of greater pain than gain from Pact aggression.) Examining the composition of the residual 4000 nuclear warheads one finds:

°°° A small number of nuclear maritime depth charges.

Range: 0.

°°° Hundreds of artillery-fired atomic projectiles (AFAPs).

Range: 9 miles. The artillery must be set back some distance from the forward line of troops to reduce its vulnerability to incoming enemy conventional artillery/missiles/aircraft. Where will our nuclear AFAPs strike? On NATO soil.

°°° About 80 obsolescent LANCE ballistic missiles. Range: 66 miles. They, too, must be located even farther to the rear of the forward line of troops. How far east

can the LANCE then strike? Perhaps along the western edge of East Germany/Czechoslovakia.

*** The 72 PLA ballistic missiles of the FRG. Range: 420 miles. Although they cannot reach Soviet soil, these missiles can at least strike militarily-significant Soviet targets in all of East Germany, much of Czechoslovakia and in Western Poland. However, the FRG has declared it will eliminate its PLAs once the INF treaty has been fully implemented.

*** The remainder of the 4000 warheads will consist of hundreds of nuclear bombs for NATO's dual capable aircraft (DCA). Range: 180-200 miles, providing the aircraft can penetrate Pact air defenses which become stronger each year.

°° In view of the scenario I previously described for NATO's first use of nuclear weapons, is it logical to think that these residual 4000 nuclear weapons will cause a Soviet perception of sufficient disadvantage/pain, should the Pact aggress, to keep NATO's deterrence credible? I don't think so. It is not a question of numbers of warheads that will remain post-INF treaty. The real question is: "After the treaty is implemented, will NATO possess the appropriate weapons platforms which can propel nuclear warheads onto sufficient militarily-significant Soviet targets and do the Soviets know that NATO can do so? " After the treaty is implemented, the answer will be: "No."

°° Another rationale: "Since the Soviets are giving up many more nuclear systems than NATO, the treaty has to be a good deal for the Alliance." Not so, from the standpoint of the threat to Western Europe. (However, as I have

indicated, the asymmetrical reductions by the Soviets might prove very useful if applied in future negotiations.) Proponents of the treaty point out that it reduces the number of Soviet missiles with which they can strike installations in NATO's rear areas. That is so, but such numbers only count if NATO has to fight. For NATO, the name of the game is to deter, to prevent having to fight. Further, what the Soviets are eliminating comprises only about three per cent of their stockpile of nuclear warheads. Nearly all of the remaining 97% can be targetted onto those same installations in NATO's rear area, thereby keeping the risk high and on the backs of the West European people. And what does NATO give up? The very weapon system that the Soviets fear most — the PII — which puts the Soviet homeland and people in a similar posture of vulnerability and keeps high the credibility of NATO's deterrent.

- °° A third rationale: "We can use strategic nuclear weapons to 'compensate' for the effects of the INF treaty and thereby keep NATO's deterrent credible." To do so would have NATO, for all intents and purposes, revert to its former strategy of "massive retaliation." Why should that strategy be anymore credible now than it was in 1967, when it was discarded and replaced by "Flexible Response", in view of the Soviets' having developed the capability for a retaliatory strategic strike? In fact the Soviet ability to retaliate following a US strategic first strike has grown in the intervening years. Others have suggested as a "compensatory" measure for the treaty that NATO use the 400+ nuclear warheads which are committed to SACEUR and which are located on submarine launched ballistic missiles (SLBMs). Such use is possible, but does it make sense?

This issue was argued in the debate leading up to the LRINF deployment decision in 1979, but was discarded as being an inappropriate use of strategic warheads. My objections to this proposal are:

°°° SLBMs are strategic weapons, always have been, and are so considered in arms control negotiations. Those SLBM warheads committed to SACEUR are tethered to the release of the rest of the US strategic forces and SACEUR coordinates fully his targets therewith.

°°° Although Soviet surveillance platforms could discriminate between the launching of land based ballistic missiles and submarine based ballistic missiles, they could not tell whether the SLBMs they observe breaking the surface of the ocean and heading towards the USSR contain some of SACEUR's 400+ strategic warheads being used for theater purposes, or represent the initiation of the US/UK strategic strike. If the Soviets have a policy of attacking under launch —i.e., releasing their strategic forces when they observe US/UK strategic weapons heading towards Soviet soil — why should the US and UK bear the risk of being struck by the Soviet strategic nuclear forces because NATO was rash enough to use strategic weapons for theater purposes? Further, I don't believe the Soviets would view such use as being credible in the first place.

°° A final rationale: "NATO can 'compensate' for the INF treaty by using sea launched cruise missiles (SLOMs) to hold at risk the former INF targets." This is feasible, but is it credible? A SLOM and a GLOM are identical; they

are small, unmanned aircraft whose difference lies in the platform from which they are launched. The question is: Would it be politically credible for NATO to be seen taking away cruise missiles with one hand while with the other it replaces them with identical cruise missiles on a different launch platform? I wouldn't think so, not if political credibility in this INF treaty business has the high priority I described was given to it post-Reykjavik.

(Incidentally, when one hears such language in NATO as: "compensate" for the treaty, or take "compensatory" measures, the thought must surely cross his mind that if NATO needs to compensate for this treaty, maybe it should not have been agreed in the first place.)

- ° Finally, I am concerned that, under the aegis of the US, the long-term credibility of NATO's deterrent is being sacrificed by this treaty on the altar of short-term political expediency. The treaty may be considered by the US as being in its short-term political interests, but it is not in those of its West European allies nor the long-term interests of either.

POST-INF: WHAT TO DO?

If the INF treaty is implemented, there are a number of actions which I believe should be taken. Among them are:

- ° NATO must develop a strategy for arms control that, inter alia:
 - °° Determines how such a strategy fits into NATO's overall, broad strategy.
 - °° Determines where to draw the line on the slope of denuclearization.

- °° Predetermines the responses to potential Gorbachev initiatives, e.g., eliminating dual capable aircraft, or establishing a nuclear free zone through Central Europe.
- °° Develops some NATO initiatives for arms control.
- ° NATO must strive to keep the credibility of its deterrent as high as possible in the mind of the Soviets, realizing that it will never again be at the level it is with the PIIs deployed. This means that:
 - °° NATO's conventional forces must be improved. The treaty spotlights the adverse imbalance between its forces and those of the Warsaw Pact; however, with or without the treaty, NATO has needed to enhance its conventional strength, as every SACEUR has pleaded beginning with the first, Dwight D. Eisenhower.
 - °°° NATO's priorities for conventional improvement should be: first, do better with national forces already assigned to Allied Command Europe (ACE) by bringing them up to ACE standards for manning/equipping/training/maintaining/sustaining (especially); second, continue modernizing nations' forces and take advantage of the West's technological lead to exploit the Pact's weaknesses and NATO's strengths (a case in point is FOFA, follow on forces attack); and third, create additional force structure.
- ° NATO must pursue vigorously a satisfactory reduction of conventional forces to a balanced and verifiable level. In my mind, some principles for conventional negotiations are:
 - °° Do not include tactical nuclear weapons, as the Soviets want.

- °° Reduce by divisions which, with a chain of command and a support structure, are fighting units.
- °° The Soviets must make an asymmetrical reduction, withdrawing sufficient Soviet divisions far enough east so that their movement westward could be picked up readily by western intelligence. (Even better would be for the Soviets to eliminate from their structure the forces they withdraw.)
- °° The heavy arms and equipment of US divisions withdrawn to be stored in Western Europe.
- ° NATO must implement the second half of the Montebello decision of October 1983. The first half was agreement to reduce by end-1988 the theater nuclear stockpile in Western Europe to no more than 4600 warheads, an objective achieved in 1986. The second half was a commitment by nations to:
 - °° develop and deploy a follow-on to the LANCE ballistic missile which will have greater range (at least 150 miles) and accuracy.
 - °° develop and deploy an air-to-surface standoff missile for tactical aircraft. (range: at least 250 miles.)
 - °° modernize NATO's artillery-fired atomic projectiles. (This is underway for the 8-inch howitzer round.)
 - °° ensure that the US and UK plans for their TRIDENT forces are implemented. (To date they are.)

Implementing the second half of the Montebello decision should be credible politically since it was made long before an INF agreement appeared possible and needed to be done regardless of such an agreement.

- ° NATO must take the necessary action with respect to its dual capable aircraft to:
 - °° improve their survivability at their bases.
 - °° enhance their ability to penetrate the Pact air defense.
 - °° increase their range.
- ° NATO should continue to seek a satisfactory agreement in the START talks that would reduce strategic nuclear forces of the US and USSR by 50%. Our evaluation of this proposal at Supreme Headquarters Allied Powers Europe (SHAPE) revealed that it would not impact adversely on the credibility of NATO's deterrence. However, I believe that the US should:
 - °° not sacrifice its research on SDI to achieve such an agreement.
 - °° retain leverage on the Soviets by linking any START agreement to a satisfactory agreement on conventional forces. (With the imbalance in the conventional field favoring the Soviets, what other leverage does NATO have for the Soviets to negotiate seriously?)
 - °° consider the possible reorganization of its strategic nuclear forces to provide a greater number of targets which a Soviet preemptive first strike would be required to hit by:
 - °°° deploying the less vulnerable, mobile Midgetman with its single warhead.
 - °°° increasing the number of submarines with a lesser number of SLBMs on each than currently is the case.

SUMMARY

I have discussed the current NATO-WP balance in general terms; have reviewed NATO's deterrent mission and potential viability of NATO's strategy of Flexible Response; have laid out the path NATO took from double-track to double-zero; have listed the positive aspects of and my concerns with the INF treaty as it has been constructed; and, have set forth what action I believe NATO/US must take should the INF treaty be implemented.

These actions require resources and the collective will of the NATO nations to undertake them. My eight years' experience causes me to project that we can expect a fairly high level of demonstrated will manifested by the appropriate rhetoric, but with few, if any, additional resources being made available for strengthening the collective security of the Alliance. With the major reduction in the range of our nuclear weapons upon which NATO's deterrence depends, and with insufficient resources for conventional forces, our West European allies run the risk of becoming dependent upon the good will of Gorbachev for the future freedom of their people. To me, that is a very weak reed upon which to lean.

Thank you for permitting me to make this statement a part of your record.

PREPARED STATEMENT OF RAYMOND L. GARTHOFF

The INF Treaty will enhance the security of the United States, Europe, and the World, in a number of ways. In the first place, it relegitimizes the arms control process, after nearly a decade of neglect and unjustified charges of failure. It also provides momentum to the negotiation on strategic arms reduction and makes more possible an agreement on reductions on the order of fifty percent. Arms control is not, of course, an end in itself. But the INF agreement signifies a renewed recognition, on both sides, that arms limitations and reductions can serve the security interests even of adversaries.

The elimination of all Soviet and American land-based missiles of 300-3,500 miles range shows that agreement can be reached to scrap modern, recently deployed systems. It shows also that the Soviet Union is prepared to eliminate not only the deployment in recent years of SS-20s and SS-23s, but also the deployment of the hundreds of SS-4 and SS-5 missiles that had faced Europe since the late 1950s. It demonstrates that the Soviet leaders have been prepared to eliminate much larger numbers of missiles than do we where there was a disparity in their favor. And it marks an unprecedented Soviet readiness to accept extensive and intensive verification measures, including on site inspection, on their own territory. All of these are important precedents for other arms reductions.

This is not the time to discuss the ongoing strategic arms negotiations, except to note that while the INF Treaty provides some positive impulse, the possibility for an agreement this year is greatly reduced by the failure to restore a common understanding as to the meaning and effect of the ABM Treaty. Attempts by this administration unilaterally to reinterpret a bilateral treaty, and reluctance to reconfirm readiness to abide by solemn existing treaty obligations, regrettably stand as the main obstacle to successful conclusion of these negotiations. There are other unresolved issues concerning strategic arms reductions, but none so impair the prospect of agreement.

In Europe, both the Soviet Union and the United States retain other longer and shorter range nuclear delivery systems, so there is no immunity for either side from possible nuclear weapons in a war--but also, by the same token, no gap in nuclear deterrent forces. The elimination of weapons that had a destabilizing combination of ability to strike strategic targets on very short warning with high accuracy is a gain for the security of all, as such systems might otherwise have prompted preemptive tendencies in a crisis. This reduces the danger of war by miscalculation, and is a major gain for European security.

The conventional arms balance in Europe is of course unaffected. It is not improved, not made worse, by the elimination of intermediate and

shorter-range missiles. The INF agreement is, however, having a salutary effect in refocusing attention on this problem, and can thus contribute to renewed efforts at limitation and reduction of conventional and dual-capable weapons. There is need for timely rethinking in the United States, and in the NATO Alliance, of alternative ways to better answer the common security. We should see this not as a burden imposed by the INF agreement, but rather as a long-term effort to which this agreement draws attention and to which it can lend desirable impetus. We should consider various combinations of Alliance defense and arms control measures that would enhance security, if possible at lower levels of military confrontation in Europe.

The Soviet Union and Warsaw Pact leaders say that they are prepared to work toward reducing not only the levels of forces but in particular the offensive capabilities of the sides. We need not and should not either accept these declarations as a matter of faith, nor reject them as a matter of lack of faith. We should engage the other side in negotiations and determine how far we can go in working together to meet security needs. To whatever extent we find we must rely on our own Alliance defense, we should and will of course do so.

All of our European allies without exception have strongly endorsed and urged ratification of the INF Treaty. To the extent that some Europeans, as some Americans, have concerns about other aspects of the security situation that call for additional arms control and/or defense measures, these should be met. But a failure to ratify this treaty, or attachment of any conditions to it with respect to other desirable steps in arms control or defense, would represent a dangerously misguided assessment and counterproductive action. It would shatter Alliance confidence in us, as well as worsening the security climate of East-West relations.

While the principal purpose and effect of the INF Treaty is to reduce arms and the danger of war, it also has the effects of reducing insecurities and tensions. Both military and political stability, and military and political security, are enhanced.

The INF Treaty must, and does, stand on its own merits as a contribution to security. It represents, at the same time, an important political step in improving U.S.-Soviet relations. It was the centerpiece of the third summit meeting between President Reagan and General Secretary Gorbachev. Moreover, while it would not have been justified merely as a measure to improve political relations, the fact that it does so is an additional merit of the accord. American-Soviet relations depend upon more than arms control agreements, but an ability and readiness to work together in this sphere is not only important in its own right but also in improving the whole fabric of relations.

The value of the treaty, however, is not dependent upon an improvement in relations if that does not ensue. It is, after all, because of our political differences and conflicts that the arms competition exists and that there is a continuing need for arms. The treaty is a compact between adversaries who recognize that they have a mix of both conflicting and common interests. Survival and the avoidance of a nuclear war is the principal common interest. Reducing the risk of war and containing the arms competition is also a common interest even while a military counterposition exists--indeed, because a military counterposition exists. The INF Treaty contributes to this end.

The question is raised as to whether we can trust the Soviets. Neither side is prepared to rest its security on trust of the other. We each retain not only military, but also intelligence, diplomatic and other bases of our security. What we can trust is that the Soviet leaders will act in their own interests. Whether those interests include arms control measures compatible with ours can only be determined through negotiation. The INF Treaty has emerged from that process, and I believe fully meets the test.

The questions of verification and Soviet compliance has been given particular attention. I understand other expert witnesses will address the question of monitoring and verification in detail. I will only state that

the treaty provides carefully considered and extensive provisions that provide for adequate, effective verification.

Compliance is a broader question. A great deal of attention has been focused on a number of past cases of suspected Soviet violations of arms control agreements, some of which the present Administration has decided are violations. Any violation of an arms agreement is cause for concern, especially if the violation is deliberate rather than the result of divergent interpretation or understanding. But still more important is the question of the general practice or pattern of compliance. And in this regard, even if all the Soviet activities deemed by this Administration to constitute violations are such, there is a strong general pattern of compliance, not noncompliance. There is no reason to believe the Soviet leaders will not comply fully with the INF Treaty.

In conclusion, the INF Treaty enhances the security of the United States and its Allies, can contribute to improved political relations with the Soviet Union, but is useful and warranted even in the absence of such improved political relations.

PREPARED STATEMENT OF SIDNEY D. DRELL

Thank you for this opportunity to testify in support of the "Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles" (henceforth referred to as the INF Treaty). I strongly urge that the Senate recommend its ratification as negotiated and signed. In my testimony endorsing the INF Treaty I draw on twenty-eight years of experience as an advisor to the U.S. Government on technical issues of national security and arms control. (My curriculum vitae is appended.) My statement to the Committee represents my own personal views and not those of any organization.

I will develop three major arguments in favor of ratification of the INF Treaty:

1. The negotiated reductions in numbers of missiles are in our strategic interest.
2. The provisions for verifying these reductions are fully adequate and consti-

tute valuable and unprecedented progress in instituting cooperative measures of verification.

3. Ratification of the Treaty will give concrete evidence that the two superpowers, the United States and the Soviet Union, working together can resume progress toward reducing the threat of nuclear conflict.

1. THE NEGOTIATED REDUCTIONS IN NUMBERS OF MISSILES ARE IN OUR STRATEGIC INTEREST.

The final agreement to eliminate all ground-based missiles, deployed and non-deployed, of intermediate and shorter range, between 500 kilometers and 5,500 kilometers, along with their launchers, support structures and specified support equipment is consistent with the U.S. position at the beginning of the negotiation. This marks a major concession by the Soviet Union who will be removing almost four times as many deployed nuclear warheads and almost twice as many deployed missiles as will the United States. The Treaty numbers are as follows: the Soviet Union will eliminate 857 deployed* and 895 non-deployed missiles, or a total of 1,752 missiles, compared with 429 deployed and 430 non-deployed, or a total of 859 missiles by the United States. In terms of deployed nuclear warheads, the Soviet Union will be eliminating missiles for delivering 1,667 compared with the U.S. deployment of 429 (and a planned maximum of 572 in NATO). In accord with the U.S. position, the elimination of these missiles is global, removing thereby the Soviet SS-20 threat in the Far East as well as in Europe. It is also total, removing undeployed as well as deployed systems. Furthermore, it does not include third-country systems, thereby leaving the missile forces of the United Kingdom and France unrestricted, as well as those of the People's Republic of China.

Concern about these provisions which are numerically-lopsided in favor of the United States has been expressed on two grounds:

1. They will lead to the decoupling of the U.S. nuclear guarantee to NATO.
2. They will lead to the de-nuclearization of the NATO deterrent against a massive Soviet supremacy in conventional armaments.

The facts do not support these claims, and appropriate U.S. and NATO military planning, doctrine, and resources will ensure that these expressed concerns do not materialize in the future.

* These include 405 deployed SS-20's, each capable of delivering three nuclear warheads; 65 single-warhead SS-4s; and 387 shorter-range missiles. Since the Treaty was signed there have been minor corrections to these numbers.

Three years after the INF Treaty is ratified and its provisions have been fully implemented, according to the negotiated schedule, NATO will still retain close to 4,000 nuclear weapons. In purely numerical terms the INF Treaty is but a modest step. It removes less than 4% of the nuclear weapons in the world today. It reduces NATO's deployed nuclear arsenal only by roughly 10%. In fact, the Soviet Union will be removing more missiles that are potential targets for NATO than NATO will be decreasing its warheads with which to attack them, in the ratio of 857 deployed Soviet missiles to 429 U.S. nuclear warheads. Another measure of the INF Treaty is this: in 1976, before the Soviets started deploying their SS-20s, they already had some 590 SS-4 and SS-5 intermediate-range missiles deployed with their nuclear warheads, and the U.S. had no such missiles deployed. Fifteen years later, in 1991 if the Treaty is ratified this year, both sides will have zero deployments of these forces. In the meantime, the U.S. has developed sea-launched cruise missiles to augment the nuclear arsenal available to NATO and has modernized and strengthened the forward-based aircraft capable of long-range delivery of nuclear weapons. These forces plus the sea-launched ballistic missiles assigned to the Supreme Allied Commander for Europe give NATO a strong, long-range nuclear punch. This hardly points to a de-nuclearization of the NATO deterrent. Substantial forces will remain for implementing the U.S. nuclear guarantee to NATO.

While it is a significant diplomatic achievement, the INF Treaty does not, by any means, solve NATO's security problems. What it does do is to remove one rung in the escalation ladder of nuclear war in NATO. It thereby increases the importance of NATO's implementing a strategy and maintaining a posture of conventional forces that are less reliant on early use of nuclear weapons. This is a limited, but important, step in the right direction.

The stability of our military position in Europe must rest on a deployment of forces that makes clear to a would-be aggressor that, based on any rational calculation, he cannot achieve success by striking first, no matter what his goal. The presence of large numbers of nuclear missiles with the combination of range, speed, and accuracy that are characteristic of the Pershing II and the SS-20 is disruptive of such stability. They present a credible counterforce threat with short warning times against vital military command, control, and communications centers deep behind the lines in Western Europe and Russia, thereby enhancing a mutual insecurity that can be dangerously destabilizing in times of crisis or heightened tension.

The next stage of negotiations in the European theatre should focus on the

need to establish an overall stable relationship of conventional forces. This task will be complicated by the fact that much more than bean counting is involved: simple numbers of tanks, men in arms, or aircraft represent but a small part of the balance. Nothing can compare in importance to the quality, training, readiness, and motivation of the soldiers, sailors, and pilots and the technical quality and maintenance of their weapons. Far more than firepower, the ability to know what is going on in the battle area with good and timely surveillance and communications is of crucial importance. I see no reason for the Western democracies to shirk from competing in these areas as we seek to reduce military instabilities and establish a better balance of conventional forces, preferably at lower levels of deployment.

Establishing a force posture that does not expose NATO to a credible threat should be viewed as a prerequisite before agreeing to further reductions in short-range tactical nuclear weapons as part of NATO's deterrent. However, I do not view a change in the current conventional balance as a prerequisite to the INF Treaty, given the high level of nuclear firepower and the diverse means of long-range delivery still remaining available to NATO.

The recently published report on "Discriminate Deterrence" by the Commission on Integrated Long-Term Strategy, dated January 1988, emphasizes the great importance for the U.S. to *"strengthen our ability to respond to aggression with controlled, discriminate use of force"*. Among its recommendations there are four programs that are responsive to this need and which are important to NATO security:

- Low-observable, or "stealth" technology that, together with new operational concepts as appropriate, can make existing radar-based air defenses ineffective as well as disrupt and blunt an invasion.
- Accurate, long-range smart munitions - or PGMs, for precision-guided munitions - capable of delivering heavy firepower directly on critical targets at the front of the attacking columns and on the airfields and depots deep in the rear.
- Extended and more capable battlefield air defenses.
- Capabilities to obtain and disseminate timely intelligence information, including from space, of preparations for attack and of troop dispositions and movements in support of military operations.

These developments should be pursued with vigor, independent of the INF

Treaty. They are far more important to NATO security than is the presence or absence of a class of nuclear weapons of terror.

As noted by Senator Helms, the INF Treaty also does not destroy nuclear warheads, just their delivery systems. But, even by itself, that is no minor achievement. The Treaty removes more than 1,600 nuclear warheads that currently are poised on deployed missiles and present real, live threats to our allies. I view the point raised by Senator Helms as a challenge to make future progress in reducing the amount of fissionable material available for fabricating nuclear weapons, not as a reason to reject this Treaty. I hope that as we reduce the sizes of the world's missile forces we will also initiate negotiations toward verifiable reductions of the stockpiles of fissionable material for weapons as well. It is the present U.S. position that we need to increase our nuclear stockpile in order to meet the requirements for weapons we still plan to build. But, if as a result of further progress in strategic arms reductions as called for by President Reagan and General Secretary Gorbachev, our arsenals are reduced so may our stockpiles be. As the appetite for these weapons shrinks, it is natural for their food supply to shrink also!

2. THE PROVISIONS FOR VERIFYING THESE REDUCTIONS ARE FULLY ADEQUATE AND CONSTITUTE VALUABLE AND UNPRECEDENTED PROGRESS IN INSTITUTING COOPERATIVE MEASURES OF VERIFICATION.

The INF Treaty establishes the most comprehensive and intrusive verification regime for arms control ever agreed to by the United States and the Soviet Union. The provisions for verifying compliance give the United States everything it wants. They represent a breakthrough.

As one who has been closely associated with verification problems for many years, I am pleased - and indeed amazed - by the progress negotiated here.

Except for missile production facilities, all facilities mentioned in the Treaty are subject to some form of on-site inspection, both within U.S. and Soviet territories and within the territories of other countries where the missiles and support facilities are based. These on-site inspections will provide for establishing a baseline inventory (starting between 30 and 90 days after the Treaty takes effect); for witnessing the actual destruction of missiles and launchers at designated elimination sites; and for confirming the elimination of facilities. In addition, each party has the Treaty right to conduct short-notice "challenge" inspections of missile-operating bases and support facilities, and of former bases, too, for thirteen years

after the entry into force of the Treaty (with a declining number of 20 per year to 10 per year during this period).

A permanent continuous monitoring system will be created at the portals of any facility of the other party at which there is final assembly of ground-launched ballistic missiles which use stages similar to one of the prohibited missiles or, lacking such a facility, at the portals of a former missile production facility. This continuous monitoring right continues for up to thirteen years, although it will terminate after the second year if for twelve continuous months no final assembly of the type described above is observed. The specific concern of the United States here is to ensure that prohibited activities and deployments - particularly of SS-20s - are not hidden at facilities where the strategic Soviet road-mobile SS-25 ICBMs are assembled. This provision removes concern about the possibility of a dangerously rapid break-out from the Treaty.

This concern is also addressed by cooperative measures introduced by the Treaty to enhance the ability of national technical means to ensure that missiles banned by the Treaty are not hidden at SS-25 bases. In particular, for three years, or until a treaty limiting strategic forces is negotiated and ratified, either party may request that, within six hours, the other open the roofs of fixed garages for launchers, remove the missiles and launchers to display them openly for satellites passing overhead to see and leave them in full view until twelve hours after the request was received. Each party has the right to make six such requests per calendar year for one deployment base at a time.

In order to resolve compliance questions, the Treaty establishes the Special Verification Commission. Although separate and distinct from the Standing Consultative Commission established by SALT I in 1972, it provides a very similar mechanism. Its success in resolving disputes will depend on the willingness of the two countries to cooperate in problem-solving efforts.

I have outlined these provisions to emphasize how unprecedentedly comprehensive they are. They are of great value in their own right; but, more than that, they provide experience in the type of cooperative means of verification that will be required for future agreements to limit strategic offensive forces. It is very much in the interest of the United States to encourage this development of cooperative means and on-site inspection as valuable supplements to the National Technical Means that we have relied on thus far for verifying treaty compliance. Similar means are at the heart of the agreement signed by the thirty-five nations of the Conference on Security and Cooperation in Europe in 1986, and the INF

Treaty greatly expands the coverage of such provisions. As we look ahead to the still more ambitious strategic arms control arena, intrusive on-site measures of verification will be required if we are even to hope to restrict the deployment of small, widely-deployed and dual-purpose sea-launched cruise missiles.

During the INF ratification debate, concern has been expressed about the record of Soviet compliance with previous arms control agreements. On such an issue as compliance there are, inevitably, ambiguities due to questions of interpretation of complex Treaty provisions and due to uncertainties in the intelligence data. A central issue here is what are the required standards of compliance. Of primary importance in judging compliance is whether activities that are ambiguous or appear to be treaty violations can constitute a threat to U.S. national security. This is a very difficult, multifaceted issue of intelligence gathering and analysis. My net assessment is that, so far, the Soviet Union has a satisfactory record of compliance with current treaty agreements, and this record provides a basis for continuing the negotiating process and for the United States' continuing to honor current treaty commitments. There are several compliance issues that should be resolved, but both countries have adhered to the vast majority of the constraints contained in the treaties they have signed.

There is one clear Soviet violation of the ABM Treaty, and there are several examples of ambiguities and of questionable compliance which, unfortunately, some have publicly charged incorrectly to be violations. The one clear violation is an unfinished large phased-array radar located near the town of Krasnoyarsk in Siberia. Even if completed this radar will not pose a military threat in view of its physical characteristics.* The U.S. has also expressed concern about the substantial increase in Soviet encryption of data during their missile test flights, but this alleged Treaty violation has, in principle, been removed by the Joint Communiqué signed at the Washington Summit. In the Communiqué, the leaders agreed that a ban on telemetry encryption during missile flights should be part of an upcoming treaty reducing strategic offensive arms.

In addition to being able to assess the military and security significance of a potential Soviet violation, the United States must be prepared to take appropriate actions. Three principles should guide a U.S. response:

- * The relatively low-frequency range in which this class of radars operates precludes them from effectively managing an ABM engagement, because they are susceptible to black-out. See Appendix A to this testimony for a fuller discussion of this issue. In the summer of 1987 the Krasnoyarsk radar was visited by a U.S. delegation of Congressmen and scientists.

- First, confirmed violations should not be simply ignored or accepted. Resolution of these issues should be sought by persistent discussion through the appropriate forum created for monitoring compliance of the treaty provisions. For the INF treaty this is the newly created Special Verification Commission. It is, of course, important to enter these discussions in a problem-solving mode, avoiding premature public accusations that make the task more difficult.
- Second, in the presence of ambiguity, it is useful to enter into direct discussion with the Soviet Union, maintaining an open and balanced view rather than making an immediate presumption of guilt. Again, a problem-solving approach is called for.
- Third, in response to a Soviet violation, the United States must, of course, protect its security interests, taking whatever measures are required. The appropriate response may differ from abrogating a treaty or imitating the Soviet violation.

During the INF ratification debate, concern has also been expressed about loopholes in this Treaty. In particular, it has been suggested that the Soviet Union might deploy a new class of missiles to replace those being eliminated, and, furthermore, they can do this legally by testing them at a range in excess of 5,500 kilometers. According to Article VII, paragraph 4, of the INF Treaty, such missiles do not come under the Treaty restraints.

This example simply points up the fact that, standing alone by itself, the INF Treaty is but one step that does not complete the journey toward a stable balance at lower force levels. In fact, there is no need for either country to build new strategic missiles - ICBMs or SLBMs - to replace the intermediate range missiles being eliminated. Any of the existing strategic missiles with their many thousands of warheads in both countries can be reprogrammed onto the same targets now assigned to the INF missiles. What we have in this example is not a loophole, but an argument for ratification so that we can move ahead to complete a treaty at START that will remove this as an issue. Successful negotiation of a START Treaty will make the INF Treaty more valuable and vice versa.

The INF negotiations were separated from the Strategic Arms Reduction Talks (START) at U.S. insistence in order to simplify the process and enhance prospects for achieving a constructive step toward a mutually desired goal. Although initially opposed to such unlinking of the two talks, the Soviet Union eventually agreed. In accord with the Summit Communique, both countries are committed to the effort to negotiate "at the earliest possible date" reductions in

the strategic forces that would completely eliminate this concern. In the event that such talks should collapse and the level of strategic forces should once again start to grow substantially, the United States would, indeed, be faced with a new circumstance. If this circumstance were judged *"as having jeopardized its supreme interests"* the United States would then have the right to withdraw from this Treaty under Article XV. That is, of course, neither the assumption nor the intention of entering the negotiations. In the meantime this concern can be muted if the Soviet Union and the United States reaffirm their commitment to the numerical restrictions of SALT II on the number of deployed strategic missiles. It was the United States who unilaterally abandoned those limits of SALT II in 1986. We should now declare our intention once again to comply and take the very minor corrective action required to bring our current forces under the negotiated ceilings.

A second concern about the provisions of the Treaty has to do with the uncertainty in the total number of undeployed Soviet INF missiles. How confident are we that all the Soviet storage areas will be disclosed, and how can we confirm the elimination of all undeployed missiles?

This issue raises again the question of what are the required standards of compliance. In judging this issue two factors are important to bear in mind. First, the Treaty stipulates that all such missile systems must be eliminated. Therefore, the challenge is not to be able to count accurately the number remaining, but more simply to identify if there is even one such missile or launcher or support facility which by itself would be *prima facie* evidence of a violation. Under this circumstance the risk of exposure to a would-be cheater is much greater. In addition, any such missile system if retained covertly would be a wasting military asset since neither the missiles nor their launchers could ever be test fired or participate in troop-training exercises. It would also have no deterrent value whatsoever if its existence were secret and its potential threat unknown. One can expect that over time, with more operational experience and with follow-on strategic agreements broadening the scope of such cooperative measures, confidence will grow in the accuracy of U.S. knowledge of the data base of Soviet missile systems. This knowledge will grow increasingly valuable and essential if still deeper reductions in the level of nuclear forces are to be negotiated and verified. Both the United States and the Soviet Union are committed to seeking such deep cuts.

The cooperative means negotiated in the INF Treaty are an important supplement to our National Technical Means for verification of treaty compliance.

They provide the groundwork for progress toward a firmer base for verifying future treaties. They do so by finding that delicate balance which meets U.S. verification needs without exposing us to the danger of intelligence fishing expeditions by permitting "any place - any time" inspections that we would find unacceptable. The negotiators deserve the highest praise for crafting these provisions, which in their own right argue strongly for ratifying the INF Treaty.

3. RATIFICATION OF THIS TREATY WILL GIVE CONCRETE EVIDENCE THAT THE TWO SUPERPOWERS, THE UNITED STATES AND THE SOVIET UNION, WORKING TOGETHER CAN RESUME PROGRESS TOWARD REDUCING THE THREAT OF NUCLEAR CONFLICT.

Above and beyond the immediate and direct impact of its provisions, a treaty must be judged by the new prospects it creates for the future. Even a limited step in reducing nuclear weapons can assume much greater importance if it portends continuing interactions and dialogue between the parties to it and if they are led to anticipate and, thereby, to focus efforts on making subsequent progress toward still more valuable agreements.

Judged by this standard, the INF Treaty is unquestionably a major achievement. Failure to ratify it after seven years of intense negotiating effort would dim any hopes of progress for the foreseeable future and would constitute a serious blow to the effectiveness of U.S. leadership in the Western Alliance.

The Communique signed by President Reagan and General Secretary Gorbachev at the conclusion of the Washington Summit in December is encouraging evidence that the United States and the Soviet Union are now poised to move ahead from the INF Treaty to an even more substantial agreement; one that reduces the number of warheads on strategic, or intercontinental-range, launchers by as much as a factor of two.

The broad framework of such a treaty has already been negotiated. It sets a limit of 4,900 warheads on strategic ballistic missiles within a total ceiling of 6,000, including nuclear weapons carried on strategic bombers. The limit on launchers, intercontinental bombers plus ballistic missiles, is 1,600. The negotiators at the strategic arms reduction talks (START) have also made considerable progress toward closure on a number of sublimits on individual weapons categories although several significant issues remain to be resolved. At stake in negotiating these sublimits is how best to establish a stable balance of deterrent forces such that each party can maintain high confidence in the survivability of its forces against the threat of a preemptive first strike. In this regard, it is

notable that the Soviet Union has agreed to cut its heavy missile force of SS-18s in half and to reduce the aggregate throw-weight of its ICBMs and SLBMs to a level approximately 50 percent below the existing level.

The verification provisions outlined in the Communique are even more comprehensive and intrusive than those in the INF Treaty on which they build. In particular, they include *"continuous on-site monitoring of the perimeter and portals"* to confirm the output of critical production and support facilities; *"short-notice on-site inspection"* of various declared locations; and *"in accordance with agreed-upon procedures, short-notice inspections"* at various locations where covert actions may be occurring.

Three outstanding issues apparently remain to be resolved before the START negotiators can join the INF team in the winners' circle:

- A. Mobile ICBMs
- B. Sea-launched cruise missiles (SLCMs)
- C. SDI and the ABM Treaty

A. MOBILE ICBMs

Mobile basing of ICBMs is one way to maintain confidence in their survivability now that ballistic missiles have demonstrated very high accuracy. Mobile ICBMs can thus contribute to a stable deterrent balance, and it would be in the U. S. interest to negotiate for a freedom to mix between silo-based and mobile ICBMs within the sublimits agreed to at START. However, mobile ICBMs also create verification difficulties when it comes to counting the number deployed.

This suggests that it would be advantageous to restrict mobile deployments to single-warhead ICBMs only. This would ensure that our uncertainty in counting the number of deployed Soviet mobiles would not be multiplied, and amplified, by a large MIRV number.

Under such a treaty restriction the Soviet Union could proceed with its SS-25 mobile deployments but could retain its MIRVd SS-24s only in fixed silos. Similarly, the U.S. could retain MX missiles in silos and would proceed with the development of a Midgetman missile capable of mobile deployment. If we conclude a START agreement with the limits outlined above, I would recommend - primarily on grounds of cost - that the United States seriously consider loading the initial deployment of the Midgetman in fixed silos. The point is that in an arms control regime with equal limits on warheads, a single-RV missile is not valuable enough to be vulnerable, even sitting in a silo. The

attacker would be required to expend more of his own warheads than he could be destroying!

B. SLCMs

In the Summit Communique both sides *"committed themselves to establish ceilings"* on the deployment of long-range nuclear-armed SLCMs, above and beyond the 6,000 warhead limit and *"to seek mutually acceptable and effective methods of verification of such limitations, which could include the employment of National Technical Means, cooperative measures and on-site inspection."*

Of all the verification challenges, this is the most difficult. I cannot offer a complete solution to this problem. SLCMs are small. They do not require fancy launchers. They can be widely deployed on many ships. They are dual purpose: short range (~ 600 kilometers) with heavy high-explosive warheads and long-range (~ 2,500 kilometers) with light nuclear warheads. At the same time SLCMs do not pose the threat of a large preemptive strike. They take a long time to arrive at target, and long warning times should be available in the event of a massive attack. In view of the verification difficulties, it will be necessary to accept standards of verification for SLCMs that are somewhat lower than for ballistic missiles which do pose a preemptive threat. These standards, of course, should be militarily significant as well as realistic.

The most effective means of verification will involve continuous monitoring of production and assembly facilities, as proposed explicitly in the Summit Communique. They may also require challenge inspections to verify deployment restrictions plus special tagging to prevent covert conversion of short-range to long-range SLCMs by changes in fuel and warhead loadings.

There would be merit in the United States and the Soviet Union agreeing to maintain functionally related observable differences (FRODs) between long-range and short-range SLCMs. Such an agreement would require each country to make appropriate technical choices in missile design and would be akin to the agreement on FRODs for strategic aircraft modified to carry long-range air-launched cruise missiles. On the basis of such FRODs, together with cooperative measures as appropriate, it would be possible to consider a simple limit on the total number of long-range SLCMs, irrespective of how they are armed. The advantages of such an agreement include its relative simplicity together with its political value in removing the need to identify explicitly which U.S. Naval ships are nuclear armed.

We should move ahead with a START Treaty even as talks on cruise missiles continue and are allowed several extra years to work out the more demanding

terms of verification. As noted earlier, SLCMs do not pose a threat of preemptive first strike, but the substantial reductions in strategic forces already agreed to are very much in our security interests.

C. SDI AND THE ABM TREATY

The issue here is not whether there should be a U.S. effort to pursue research and develop technology in ballistic missile defense. The question is what program should the U.S. support and how should it be affected by the ABM Treaty of SALT I.

A high-quality and balanced research and technology program in strategic defense that is consistent with the ABM Treaty is in the security interests of the United States. Compliance with the Treaty will pose no harmful technological burden on a properly structured U. S. program for the coming decade.

The gap between today's technology and an effective defensive system is so great that it is now far too early for any program in strategic defense to consider technology demonstrations of types that could interfere with the Treaty. Indeed, our SDI program will be superior and more likely to achieve its goals of determining what advanced technologies look promising and what systems concepts look practical if its research priorities are not distorted by premature emphasis on large demonstrations in space. A considerable body of evidence has shown that early demonstrations of new technologies have two deleterious effects. First, they tend to freeze the technology being demonstrated before it is fully mature, thus guaranteeing less than full capability. Second, they tend to absorb money from the associated R&D program, thus eliminating the possibility of better solutions.

I strongly support Congressional action which restricts SDI funds for FY88 to activities fully compliant with the ABM Treaty. The ABM Treaty has provided the basis for U.S.-Soviet efforts to achieve stability, to seek reductions in nuclear armaments, and to avoid war. We certainly should continue to enforce it unless technical and political developments make it possible to supersede it by a superior peace-preserving regime. What is needed is an effort to strengthen the Treaty in consultation with the Soviet Union by resolving outstanding issues of compliance and by clarifying its application to new technologies in strategic defense.

Unrestrained testing, including testing in space, of the new technologies, or the "*other physical principles*", as advocated under the Administration's so-called "broad interpretation" of the ABM Treaty is not in the strategic interests of the United States. The Treaty, as it was interpreted prior to 1985, contains provi-

sions that were designed liberally to allow the signatory nations to pursue strong research and technology programs in strategic defenses, while at the same time preventing preparations for rapid deployment of nationwide defense following breakout from the ABM Treaty. It is in our interests to maintain these restraints on the extensive Soviet program in strategic defense. They too have their SDI program, which includes, like ours, the development of powerful lasers.

An agreement to abide by the provisions of the ABM Treaty as they have been complied with up to now will provide a strong impetus to the START negotiations. It is difficult to envision substantial reductions in strategic offensive forces being agreed to by the United States and the Soviet Union in the absence of the restraints of the ABM Treaty on developing and deploying defenses designed to defeat them.

The strategic defense program of the United States in the coming decade must not contribute to the dismantling of our current treaty achievements, nor should it stand as a barrier to progress in arms control that serves our national security interests.

CONCLUSION

I strongly urge that the Senate recommend ratification of the INF Treaty as negotiated and signed. To quote from the December Summit Communiqué:

"This treaty is historic both for its objective - the complete elimination of an entire class of U.S. and Soviet nuclear arms - and for the innovative character and scope of its verification provisions. This mutual accomplishment makes a vital contribution to greater stability."

Beyond this Treaty, there are many steps - and more difficult ones - on the journey to a safer world. Progress on this journey will require the best that sound national planning, diplomacy, technology, and arms control have to offer. We should ratify this treaty as an important step on that journey. We face no greater challenge than that of avoiding the unimaginable devastation of a nuclear holocaust and of building a safer world for our children, their children, and future generations.

APPENDIX A

Soviet construction of a large phased-array radar (LPAR) at Abalakovo, near the town of Krasnoyarsk, in Siberia violates the ABM Treaty which stipulates in Article VI(b):

"Each party undertakes not to deploy in the future radars for early warning

of strategic ballistic missile attack except at locations along the periphery of its national territory and oriented outward."

The purpose of this restriction on LPARs is primarily to prevent the preparations for rapid deployment of a nationwide defense following breakout from the ABM Treaty. It is designed to limit the long-lead-time elements necessary for a defense of missile sites or national territory. A network of LPARs deployed throughout a nation's territory would be a necessary component of an effective territorial defense system, requiring many years to build and eventually spanning the entire national territory. Once such an LPAR network were in place, other ABM components such as interceptors and smaller engagement radars could theoretically be rapidly deployed near the LPARs, protecting them from direct attack and preserving their contribution to an ABM defense. A further reason for this limitation is that LPARs on the periphery are considered to be so vulnerable to direct attack that they could not reliably contribute to an ABM system.

Consistent with the ABM Treaty provisions, the Soviet Union has been constructing a ring of seven other LPARs of a type similar to that at Abalakovo, at peripheral sites near their borders and oriented outwards. These will provide early warning in the event of missile attack. If and when it is completed, the Abalakovo radar will close the gap in this early-warning screen by covering the threat corridor for submarine-launched Trident missiles fired from the Northern Pacific and Arctic Oceans. It violates Article VI(b) of the Treaty because it is not located on the periphery, looking outward. In fact, its beams will reach over almost 3,000 miles of Siberia to the border.

If and when it is completed, the Soviet LPAR at Abalakovo will, by itself, present no military threat to the deterrent capability of the United States. Early warning LPARs such as this operate at relatively low frequencies (a few hundred megahertz corresponding to wavelengths of approximately a meter) as is appropriate for detecting objects, such as incoming warheads (RVs), at large distances. Such radars can be blinded easily by high-altitude nuclear explosions which cause the radar beams to be bent or absorbed (due to the free electrons released by a large explosion ionizing the air) and thus cannot be relied on for accurately locating a threat and managing the battle to destroy it. Battle management radars must be designed to operate at much higher frequencies in order to avoid these beam-distorting effects. In contrast to the Abalakovo radar which is vulnerable as a large, soft target, they also must be defended and hardened against direct attack. They also should be better positioned to defend their targets than is the one at Abalakovo relative to nearby Soviet missile fields.

PREPARED STATEMENT OF PAUL C. WARNKE

In evaluating the treaty between the United States and the Soviet Union on the elimination of intermediate and shorter-range missiles, the overriding question is whether it lessens the risk of nuclear war. By getting rid of a category of nuclear weapons that are particularly vulnerable and adapted for first use, the treaty admirably meets this test.

Moreover, the completion of the treaty represents a triumph for the NATO alliance and thus advances the foreign policy interests of the United States.

From the standpoint of numbers, of course, the United States has by far the better of the deal. A total of 429 war heads will be eliminated from deployed United States missiles. The Soviet Union will be compelled to give up almost four times that number. But numbers alone are not the significant factor in nuclear arms control. Security today, when nuclear weapons can neither be completely eliminated nor effectively defended against rests on mutual assured deterrence. What this means is that neither side can contemplate gaining any advantage from initiating a nuclear strike and that neither side is driven to do so because of a fear that it no longer has a retaliatory deterrent.

From the standpoint of strategic policy, intermediate and shorter-range missiles fail to meet the basic criteria for strategic stability. Because of their areas of deployment, many of them are highly vulnerable. Moreover, because of the shorter ranges involved, ballistic missiles in these categories can strike their targets within a few minutes and thus provide virtually no warning time.

Curiously, the possibility that intermediate-range nuclear missiles may be more apt to be used than inter-continental nuclear arms is identified by some critics of the

treaty as a reason for their retention. The argument goes that the Soviet Union is more effectively deterred from conventional attack on western Europe by Pershing II and ground-launched cruise missiles because the United States would feel less inhibited in using them.

This, to me, has no basis in logic or in nuclear weapons policy. If an American nuclear warhead were to strike a target in the Soviet Union, the Soviet response would not turn on whether the warhead came from West Germany or the great plains of the United States or an American ballistic missile submarine. The attack would be recognized as an attack by the United States and escalation to an all-out strategic exchange would be highly probable.

At a minimum, an attack on its territory by United States Pershings would precipitate a retaliatory strike on the nuclear weapons bases in West Germany, with the consequent devastation of a NATO ally. Logically, if Pershings are viewed as potential first strike weapons then the Soviet SS20's and its missiles with ranges of 500 to 1,000 kilometers must similarly be considered as more susceptible of first use. Under the North Atlantic Treaty, moreover, the United States has committed itself to regard such an attack on a NATO ally as an attack on the United States. Accordingly, the treaty is a welcome move away from the threat of nuclear war.

In addition, as I have pointed out, the treaty represents a signal accomplishment for NATO policy. It implements the decision reached in late 1979 by the NATO ministers to deploy American intermediate range nuclear weapons in Europe unless the Soviet Union negotiated tight constraints on its SS20's. This "two track" decision stemmed from concern in western Europe about the buildup of a SS20

force that could hit targets throughout Europe but could not reach the United States.

This concern was expressed in late 1977 by the then West German Chancellor, Helmut Schmidt. He observed that the United States was negotiating with the Soviet Union to reduce the missiles of each country that could strike the territory of the other. But he complained that, at the same time, the Soviet Union was increasing the number of warheads that could strike West Germany and the other European members of NATO.

His preference was that the SS20's and similar range American missiles be included in the SALT II negotiations. This was considered infeasible. The negotiation had been going on for five years and had resulted in substantial areas of agreement, which could be unravelled if the scope of negotiations were thus to be enlarged. Instead, the United States specifically reserved the right to deploy intermediate range nuclear missiles in a protocol which was to be of three years' duration.

The two track decision made by NATO in late 1979 was specifically endorsed in the first year of the first administration of President Reagan. The United States proposed the Zero-Zero Option, under which American Pershing and cruise missiles would be deployed in Europe unless the Soviet Union eliminated its SS20's. The Soviet Union, under its aging leader Leonid Brezhnev, was not receptive to this proposal. Accordingly, the deployment began at the end of 1983 and the Soviet Union walked out of the nuclear arms talks.

But they returned to the bargaining table when it became clear that their strong-arm tactics would not succeed in preventing the acceptance of American missiles in Germany, Great Britain, Italy, Belgium and the Netherlands. Not only have they now accepted the Zero-Zero Option for the inter-

mediate range forces of both sides, but they have now included the SS12's and SS23's with ranges between 500 to 1,000 kilometers. This is a category in which the United States has had no missiles of its own other than the 72 aging German-owned Pershing 1A's, for which the United States controls the warheads. For the first time in decades, western Europe does not face a separate Soviet nuclear missile threat. Thus alliance solidarity is strengthened.

I have reviewed with interest and admiration the provisions with respect to elimination of missiles and inspections. I congratulate the negotiators and commend the treaty to your favorable consideration and your advice and consent to its ratification.

I must, however, note that the benefits of the treaty can be largely vitiated unless prompt action is taken to control strategic range weapons. The Soviet Union is now free to add thousands of warheads to its intercontinental ballistic missile force. As the START negotiations continue, an interim agreement should be entered into which holds present numbers in place while drastic reductions are sought.

PREPARED STATEMENT OF WILLIAM R. VAN CLEAVE

Mr. Chairman, I appreciate the opportunity and privilege of appearing before this distinguished Committee to express my views on the INF Treaty and its direct and indirect implications for U. S. national security.

That the argumentation on this agreement crosses political and traditional arms control lines indicates that the issue is a complicated one, and that there are valid points to be made on both sides of it. These points group around two types of questions:

(1) Is the agreement sound in principle, or do its political-military costs and risks outweigh possible benefits?

(2) Is it soundly written, or should corrections and conditions be established by the Senate?

It is certainly reasonable to favor the agreement in principle and conclude that it contains flaws that warrant Senate corrective action.

It is also possible to take an affirmative position on the soundness of both the agreement in principle and the agreement as formulated, and still recognize the prudence of safeguards that would improve the prospects for benefit and reduce the risks, including the risk of Soviet circumvention and break-out.

I will address these points momentarily, but let me preface them with a few general considerations that I believe bear on the more specific question of the INF agreement.

This agreement should not be evaluated outside of the context of our experience with the Soviet Union and arms control, or our knowledge of Soviet strategic objectives. It seems that every time we have a new arms agreement, there is a tendency among many to ignore our experience. We focus on the putative benefits and the specific limitations and underemphasize our experience. Or, it is asserted that we are dealing with a different Soviet leadership and a moderation of Soviet goals, a message we have heard repeatedly over many years.

Yet, we have had a rich learning experience about the Soviet approach to arms control and have gained extensive knowledge about Soviet strategic motivations and objectives, especially since the "B Team" and the subsequent improvement in our intelligence. This experience and knowledge require questions about Soviet motivations and goals, and about likely Soviet behavior towards any arms agreement.

It was not long ago -- 1982 -- that President Reagan concluded

publicly that "the Soviet Union has used arms control negotiations primarily as an instrument to restrict U. S. defense programs, and in conjunction with their own arms buildup as a means to enhance Soviet power and prestige." And it was even more recent -- 1985 -- that the Central Intelligence Agency warned that "Soviet leaders view arms control policy as an important factor in advancing their strategy of achieving strategic advantage. Moscow has long believed that arms control must first and foremost protect the capabilities of Soviet military forces relative to their opponents."

If these conclusions are true, and I believe that our experience amply validates them, one must ask and re-ask if they do not still hold true as regards the INF agreement.

I believe there to be no persuasive reasons to conclude at this time that there has been a fundamental change in Soviet political or strategic objectives, including the progressive detachment of U. S. power from Eurasia, the strengthening of Soviet strategic dominance over Europe and Asia, and the negation of NATO's deterrent strategy. There has certainly been no diminishment of the importance the Soviets attribute to military superiority or of the resolve and resources with which they pursue it.

The current emphasis on arms control has created in the West the delusion that Soviet military programs are slackening. Yet, in fact, Soviet programs, including nuclear offensive and defensive ones, continue to grow. U. S. intelligence projects not only their continuation at currently high levels of effort and expenditure, but also continued growth at a rate of 5%-10% per year, depending upon ballistic missile defense (BMD) developments.

While the Soviets speak of eliminating their SS-20, -22, and -23 systems, they are expanding forces capable of substituting for these systems -- forces of both shorter and longer range.

In fact, it seems to me very likely that the Soviets' view of

this agreement is that it will deeply undercut NATO strategy and very possibly bring about eventual denuclearization of U. S. forces in Europe, while at the same time the Soviets will be accelerating their own strategic modernization programs, offensive and defensive.

If what the Soviets accomplish is "only" the scuttling of NATO theater nuclear modernization options, the resulting inability to provide U.S. forces in Europe with the best defenses against manifest threats will progressively generate pressures to remove those forces.

This is why effective NATO military modernization programs, both theater nuclear and conventional, both offensive and defensive, are so vital to the alliance. They are without this agreement; they are even more so with it. I fear, however, that the ratification of this agreement will make such programs less likely, not more likely.

The United States and its allies cannot allow the arms control process to stand in the way of efforts to improve the currently adverse military balance with the Soviet Union. Since the beginning of SALT I, the Soviets have used the arms control process in an attempt to restrain Western modernization, and to facilitate the achievement of Soviet military superiority. The military imbalance today testifies to their success.

During the 1970s, the Soviets used the arms control process, including the SALT I agreements, to enable them to proceed with an unprecedented strategic modernization free of having to compete with an American ABM or with very vigorous Western offensive force modernization programs. I believe that they hope to continue this practice.

There is ample reason for you to suspect that the real reason for the INF agreement and the current arms control emphasis of the Soviet Union is to achieve self-imposed Western constraints on all nuclear and other strategic modernization programs, including -- or especially -- SDI. In this regard, despite apparent Soviet

"delinkage," neither INF nor START is really SDI-free. In the Soviet view, SDI is very much connected with these agreements: indirectly at least in the case of INF; most directly, in the case of START.

The Soviet strategic objective today is to consolidate a theater and intercontinental offensive superiority while proceeding with deployment of nationwide strategic defenses, free of the need to compete with a determined SDI deployment program or other vigorous Western modernization efforts.

The Soviets may be willing actually to reduce, or even eliminate, the designated types of theater systems in order to facilitate these strategic objectives. They can, after all, merely substitute other forces. They may also, however, expect that they can achieve this objective merely by promising the reductions, without actually having to carry them out. We have had experience in the past with the Soviets trading promises of future reductions in Soviet forces for present constraints on American capabilities and programs.

Arms limitation agreements with the Soviets commonly do not turn out in practice to be what was advertised at the time of their conclusion. SALT I, e.g., was very different in practice from what was described to the Senate by the Nixon Administration in 1972. It was, for example, supposed to prohibit Soviet substitution of heavy ICBMs for light ICBMs. It did not. The two SALT I agreements were to have led to overall near-term constraints on the Soviet offensive force buildup, and particularly on the development of a counterforce threat against American land-based deterrent forces. They did not do so.

Arms agreements with the Soviets -- as was amply testified to at the time of your consideration of the SALT II agreement -- contain loopholes, ambiguities, and loose definitions -- at the insistence of the Soviet Union. These create in the West at the time of agreement the illusion of limitations, while they leave the Soviets technically

free to circumvent the intent and purpose of the agreement, as we saw them.

Even with such permissiveness, the Soviets have still selectively violated their arms agreements with the United States, as the President has formally informed Congress on numerous occasions. The President has reported the Soviets to be in violation of virtually every major contemporary arms control agreement, to the extent that he has termed this a pattern of Soviet violations, which "undercuts the integrity and viability of arms control."

Why should we expect anything different at this time?

The prestigious Committee on the Present Danger, in its last formal statement on arms control (Where We Stand on Arms Control, 16 July 1986) concluded that "It would be imprudent to expect the Soviets to comply with new agreements if existing agreements are being violated." It also recommended: "The United States should make a clean break with all arms control agreements that the Soviets have violated." Polls show that a very strong majority of Americans expect the Soviets to violate agreements, and that a majority feel we should insist upon and obtain Soviet faithful compliance with existing agreements before proceeding to new ones.

Aside from these dangers, the INF agreement is in my view not in our interest for other reasons. I will leave most of the specifics to later discussion and perhaps debate among us. Let me, however, cite a couple of defects.

Focusing almost entirely on the numbers of weapons that are to be eliminated (Assuming that the Soviets comply fully with the agreement), the administration argues that the INF agreement is the best arms control deal we have ever had from the Soviets. Given the record, while this may seem true, it is not particularly an unqualified endorsement in and of itself. The value of an agreement, it should go without saying, cannot be determined by the numbers of weapons reduced, but only by its

overall political and strategic impact, including a careful net assessment of military consequences.

The argument for the agreement really has more to do with the presumed value of reductions, per se, rather than more traditional arms control considerations having to do with whether stability is increased, whether the threat is reduced more than reductions in our means for coping with the threat, and whether we can expect faithful compliance by the Soviets. Yet, these latter considerations are the ones that deserve attention.

A supporting argument for the agreement is that , now that we have negotiated and concluded it, we must ratify it. Otherwise, it is contended we will face virtual political chaos in NATO, loss of confidence in our leadership, wisdom, and reliability, and new uncontrolled pressures for unilateral arms control.

I would only remind the Committee that those are the very same arguments used in desperation by the Carter administration, trying to sell SALT II after its more substantive arguments had failed. What happened when the Senate did not approve SALT? Exactly the opposite of what was predicted: New alliance strength and cohesion. New confidence in the leadership of the United States. New, more determined, conservative governments. The carrying through, in the face of great political opposition, largely orchestrated by the Soviets, the decisions to deploy INF. The results that came from not approving SALT II were not political calamities, but new political strength.

While the political consequences of withholding your consent to ratification, delaying it, and/or making it contingent upon the fulfillment of certain conditions, including possible changes in the agreement, must of course be carefully pondered; what I am suggesting is that those consequences may not be what supporters of the agreement are now arguing. Considered refusal to withhold consent for ratification of an unsound agreement, or

insistence upon corrections, clarifications, and conditions for consent, would lead to renewed confidence in U.S. wisdom and leadership rather than to political calamity.

The INF Agreement: An Assessment

You have heard the possible benefits of this agreement from many witnesses: the elimination of a larger number of threatening Soviet missile systems by the Soviet side (although one should be careful of the fallacy of treating hopefully expected futures as if they were present realities). But the Soviets probably expect political and strategic gains that more than compensate. These include:

- * the weakening of NATO's political cohesion;
- * the unraveling of NATO's strategy of flexible response;
- * increased pressures in Europe for "denuclearization," or at least against nuclear modernization -- which would result in increased pressures in the United States for force reductions or removal;
- * a new period of detente, or Ostpolitik, which would dull Western vigilance and competitiveness while providing the Soviets with the benefits of trade, technology transfer, and financial credits;
- * self-imposed constraints on U.S. and allied arms programs beyond theater nuclear modernization programs;
- * finally, the elimination of a unique NATO military capability, which the Soviets regard as a major threat to their own strategy, and the concurrent elimination of prospects for NATO's modernizing and improving that capability.

All in all, these will increase the stress on the already unfavorable strategic nuclear force and conventional balances, while reducing, rather than promoting, prospects for their modernization.

It may not be reasonable to object to an agreement covering INF forces on the grounds that it does not correct the strategic and conventional force imbalances; but it is certainly reasonable to

assess the INF agreement in the context of those imbalances, and to ask whether the agreement will magnify the imbalances. In my view, the agreement will do so. That is why I believe it essential to link its ratification, if it is to be ratified, with improvement of the strategic nuclear and conventional balances -- in one way or another.

Another point I would make is that the Soviets may be reducing forces, but they are not eliminating a capability or the threat; the United States will be eliminating a particular capability.

There are many Soviet weapons, ungoverned by the agreement, that can compensate for any reductions in INF that take place. The most obvious, of course, and the most obvious loophole in the agreement is the SS-25. The SS-20 and the SS-25 are related systems, sharing an indistinguishable first stage and very possibly a compatible front end. They differ mainly in range-payload, but that may be more a matter of configuration: The SS-25 is a single-warhead ICBM, which in a three-warhead MIRV version (or with thrust control) becomes an IRBM. The SS-20 is a three-warhead IRBM that may become an ICBM in a single warhead version.

The SS-25 is a free weapon for the Soviets to continue to deploy. Depending upon a START agreement, the Soviets may deploy enough to substitute for the eliminated SS-20s.

This is a specific reason, along with more general concerns about the strategic balance, why many argue persuasively that it makes no sense trying to isolate the intermediate range category of nuclear weapons and that an INF agreement should not be ratified until it is accompanied by a sound START agreement. My problem is not with that principle, but with what seems likely in practice: I do not know how a bad agreement becomes a good one by adding yet another bad agreement to it, and the START agreement as it seems to be shaping up may be more harmful to our security than even this agreement.

The INF agreement, however, does not merely exclude the SS-25 as an ICBM from its limitations, it also allows it as a variable range IRBM-ICBM system. The treaty defines for limitation purposes an intermediate range missile as one whose range capabilities are above 1,000 kilometers but not in excess of 5,500 kilometers. It defines range capabilities as a missile's maximum tested range. If a missile has been tested beyond 5,500 km, it becomes an ICBM, according to my reading of the treaty. To be in IRBM, it must not have been tested in excess of 5,500 km. Therefore, a variable range SS-25, a MIRVed version, an SS-25B, tested above 5,500 km but having intermediate range capability identical to the SS-20 is allowable. Moreover, I believe it may be possible to mate the upper stage of the SS-20, with its guidance package and warheads, which the INF treaty allows the Soviets to retain, with such a missile.

The treaty, by the way, also permits the conversion of existing SS-20 bases to SS-25 bases, without limit so far as I can tell, thereby legitimizing the support structure for an expanded SS-25/SS-25-variable threat. Giving the history of the Soviet mobile missile program -- the SS-16, SS-20, and SS-25 -- the operational similarities and interchangeability result in glaring loopholes.

On the NATO side, however, the treaty will eliminate a unique capability and limit options for responding to the threat. This includes the unwise prohibition on long range, conventionally armed cruise missiles, as well as the impact on theater nuclear systems.

To appreciate the importance of the weapons we would remove, we should understand the reasons they were deployed in the first place and recognize the additional importance they acquired through the political struggles leading to their deployment.

To portray the decision to deploy the U. S. INF as merely a response to the SS-20, or in terms of a two-track trade-off

decision, is to take what became a political description of reality and confuse it with reality.

During the 1970s, in recognition of an expanding threat, NATO conducted important studies of new capability requirements, which led to modernization proposals and plans. Many of these studies were sparked by the 1974 report on NATO by Senator Nunn, which led to the Public Law 93-365 report to Congress by Secretary Schlesinger that focused on the need for both conventional and tactical nuclear improvements.

For over a decade, theater nuclear and conventional modernization had lagged in NATO while the Warsaw Pact had expanded both offensive and air defense capabilities. In the 1970s, NATO studies led to alliance decisions calling for fairly extensive theater nuclear force modernization, for both short and longer-range systems. Major requirements were improved survivability, enhanced effectiveness, lower collateral damage, and deep interdiction missile (not aircraft) systems stationed on Western European territory. There was even serious consideration of mobile IRBMs for the continent.

One of the major considerations driving these requirements was the development of a qualitatively, as well as quantitatively, new offensive threat to Western Europe, based both upon new capabilities for delivering counter-force firepower and for concentrating forces into maneuvering groups to break through NATO front line defenses. It was also (correctly) anticipated that improvements in Soviet/Pact air defenses would greatly reduce the role that aircraft could play against those threats.

One of the options then considered, which I will touch upon in my recommendations, was to defend against the new air-strike and missile threat. It was ruled out then because it did not seem to compare in cost-effectiveness with the alternative of deploying offensive systems that could put the deeply sited sources of the threat at risk.

Thus, it was firmly concluded that we needed in Western Europe systems such as the Pershing II (P2) and GLCM to put at risk Pact offensive threats that we believed we could not defend against. These requirements existed for reasons separate from and in addition to the SS-20s. There were strategic reasons for the new INF beyond the need to offset SS-20 deployments. Neither theater based aircraft nor reliance on U. S. strategic forces would suffice; nor were sea-based forces, such as sea-launched cruise missiles, deemed adequate. These conclusions were carefully and collectively reached.

Unfortunately, the Carter administration derailed many of the modernization plans, most clearly the lower collateral damage enhanced radiation weapons. The P2 and GLCM were as far as it and NATO were then willing to go with theater nuclear modernization, even limiting the numbers of those systems to levels that constrained their military contribution. This did not, however, eliminate their military significance or reduce their strategic importance.

The INF are valuable for a certain, critical type of targeting capability, and because they were generally believed, whatever your individual judgment, that they are more credible for that use than forces based at sea or in the United States. The military importance of these weapons increased as the threat continued to expand and as continued growth in Soviet strategic nuclear superiority reduced even further the attractiveness of reliance on U. S. strategic forces for theater targeting.

The political element then increased the importance of these forces again, as we and our allied governments emphasized this importance to help win the struggle to deploy the systems. This turned out to be a major political victory for the alliance over determined Soviet opposition; but one should not isolate the importance of these systems from the political struggle waged by our allies on behalf of their deployment. In this process, the military and strategic

importance of these systems were emphasized strongly. They were described as essential to a successful deterrent strategy of flexible response.

Perhaps, individually, some of you believe that this was exaggerated. I, myself, would agree that the military contribution of these systems was somewhat overemphasized compared to their vulnerability and low numbers. But the weapons acquired politically a far greater importance in strategic terms than they may have had in strictly military terms, and this importance became real.

Now we would overturn this, and overturn as well the major political victory won by deployment of the systems, a victory that seemed for a time to affirm that NATO, collectively, could proceed with theater nuclear force modernization. In my view, this is likely to reduce greatly the prospects for any future theater nuclear modernization. It will become the final step in a process begun during the Carter administration reversing plans for modernization. If we are to modernize, as we should, I doubt very much that ratifying this agreement -- at least without specific, effective requirements for modernization linked to consent for ratification -- will help.

In the last position statement issued on arms control by the Committee on the Present Danger (Where We Stand on Arms Control, 16 July 1986), the Committee cautioned against regarding intermediate range weapons as a separate weapons category. It also felt that the complete elimination of U. S. INF in the theater would on balance have an adverse effect on the military balance. It concluded:

"A complete elimination of INF systems would leave Europe, Japan and other U. S. allies facing Soviet superiority both in shorter-range and strategic nuclear systems, capable of striking West European and Asian targets, as well as massive Soviet

conventional superiority. U. S. European allies are especially sensitive to the fact that eliminating U.S. INF weapons in Europe would heighten the importance and danger of the remaining imbalances. Clearly, the United States will have accomplished little if, by removing its Pershing II and cruise missiles from Europe, it increases the risk of conventional war."

The strategic consequence of the INF agreement will be to place greater reliance on U. S. strategic nuclear forces for extended deterrence, on the strategic balance that is, at a time when that balance is decidedly adverse to the United States. At the other end of the spectrum, of course, it will put more stress on an unfavorable conventional force balance.

Former Secretary of Defense James R. Schlesinger made what I believe to be an inescapable point in his testimony on this agreement before the Senate Armed Services Committee on January 26. He pointed out that the INF agreement, removing U. S. INF from Europe, "expands the role in overall nuclear deterrence that must be played by U. S. strategic forces. The role of these forces in providing extended deterrence is therefore an increasingly preponderant one."

I cannot imagine why those who worry (justifiably) about the strategic nuclear balance, the Soviet capability for disarming attacks on U. S. strategic forces, or the possible consequences of a U.S.-Soviet strategic exchange should wish to rely more on strategic forces for extended deterrence. If we are to shift back to increased reliance on U. S. strategic nuclear forces, then we certainly need more urgent and far-reaching strategic force modernization programs than we now have. And we need urgently to do something about the defenselessness of the United States against ballistic missile attack, including the vulnerability of U. S. land based forces, since extended deterrence cannot be viable with a defenseless United

States to the extent that it relies on the threat of U.S.-Soviet strategic exchanges.

At the other end of the spectrum, there exist many sensible plans or proposals for conventional force modernization, permissible improvement of theater nuclear force capabilities, and the development of extended air defense and even theater BMD systems. These include Senator Quayle's NATO Defense Initiative, the 1987 NATO Conventional Defense Improvements program, and various programs that the Nunn-Warner Amendment encourages, as well as following through with the 1983 Montebello force improvements and returning to deployment in Europe of the Enhanced Radiation Warhead (hopefully for the Lance and 155, as well as the 8").

But, as I have said, I fear that politically it is unrealistic to expect the alliance to go through with such modernization programs at a time that arms control agreements are celebrated as major contributions to security, that the arms control process commands center stage in U.S.-Soviet relations, and that reductions in nuclear weapons are so emphasized. It is rather incongruent to argue that the INF agreement is a good agreement that enhances our security and reduces the threat, and at the same time argue that we must have new arms programs to compensate for the agreement or to cope with an undiminished threat. European publics are being encouraged to expect more arms reductions, not to support new arms programs.

Also, all of this comes at a time when the United States is engaged in a major unilateral reduction in its defense effort due to concern over the federal budget deficit. The FY 1989 DOD budget represents the fourth consecutive year of declining U. S. defense budgets, in real terms; this time a substantial decrease in the administration's request even before Congressional cuts are imposed. The major cuts in the DOD budget seem to imply that the DOD budget is largely responsible for the budget deficit. I think the facts are otherwise.

In all candor, Mr. Chairman, the Soviet military threat and the continuing buildup of Soviet military capabilities are far greater threats to U. S. well-being than the budget deficit.

Treaty Review

Even if one supports the INF agreement in principle, I know that all on this Committee agree that careful attention must be given to the specifics of the agreement. In my judgment, it contains loopholes and ambiguities: major flaws that should be corrected in the process of advice and consent. As it stands, the Soviets will have unnecessary opportunities to circumvent the intent and purposes we ascribe to the agreement. The grounds for troublesome differences of view as to the obligations imposed by the agreement will exist, and at a minimum these will give rise to questions concerning our own activities -- are they permissible? -- and Soviet activities -- are they clearly definable violations?

We have too much experience with this not to recognize the dangers. Agreements with the Soviets have turned out in practice to be quite different from what the United States thought it had concluded, or at least different from what was described by the administration at the time of Senate action. We have seen this repeatedly with the issues raised about Soviet activities -- beginning with the substitution of the SS-17 and SS-19 for the SS-11 close on the heels of an agreement that was advertised as prohibiting exactly that; and with the violations issues.

I pointed out this distinction during the early argument over possible Soviet violations of SALT I, when I testified:

"if one takes as the SALT I agreement that which was described to Congress by the Administration, the Soviets have violated the agreements approved by Congress as Congress was led to understand them. Whether the Soviets have violated the literally imposed limitations of the mutually accepted agreements is another matter."

Because we were not sure exactly what the Soviets agreed, and did not try to pin it down in the rush to approve and ratify the agreements, we were forced to accept Soviet actions that undercut both the Interim Offensive Agreement and the ABM Treaty.

We must expect the Soviets to exploit every opportunity allowed them by the agreement. It is what they do. And we must expect this behavior in the context of experience to date that the Soviets, first, do not agree to limitations that would constrain achievement of their strategic objectives; and, second, when such limitations are desirable for their effects on the United States, the Soviets offer us the delusion of limits while insisting upon language that technically allows them to proceed virtually unconstrained.

This agreement allows great latitude for the Soviets to continue that practice.

It seems to me that the statements of administration spokesmen on the meaning of a treaty can help clarify its provisions, or at least the administration's current view of them, but ought not themselves to be taken as definitive, much less unilaterally binding on the United States. The Soviets have enough of an advantage in the political fact that agreements always constrain open, democratic societies more than totalitarian ones, which will exploit every

loophole, without adding to that unilaterally imposed legal restraints that have no effect on the Soviet Union. Besides, the record shows that an administration, trying to gain Congressional approval for an arms control agreement it has concluded, is too inclined to describe the agreement as accomplishing more than it really does, and at the same time to paper over flaws in the agreement.

As to the INF agreement, I have suggested a couple of examples of major textual flaws. I need not go into a detailed analysis of the treaty text in my opening statement -- although I would be happy to join in such an analysis during the discussion.

I would like to make a few comments on the verification and compliance aspects of the agreement. The treaty appears to have strong and detailed verification provisions, but these are for limited designated sites and also contain severe limits. These limits, along with the absence of suspect site inspection rights and short-comings in our national technical means, should not permit confidence in the verifiability of this agreement. Of course, the major loophole on the SS-25 allows the Soviets to substitute those systems freely for the SS-20s anyway; and the conversion of SS-20 operating bases to SS-25 bases takes away our on-site inspection rights at those sites.

In any case, there is one lesson that we should have learned well, and that is that verification and compliance do not necessarily equate to one another. Enforceability of compliance with an agreement is a different issue from the ability to verify non-compliance. And the United States still lacks an effective enforcement of compliance policy. Without such a policy, the ability to verify is greatly reduced in value.

I am aware of the problem of having tighter verification provisions in an agreement without at the same time assisting Soviet

intelligence operations -- and nuisance causing -- in this country. The fact is that the verification provisions of the INF agreement may already be too intrusive for an open society, but are not intrusive enough for a closed society such as the Soviet Union. We know that Soviet inspection agents (additional, legalized KGB) will not be here to verify U. S. compliance with the agreement. There are more than plenty open and reliable ways to know that the United States is complying; but this is certainly not the case for the Soviet Union.

Why should we accept the contention that equal verification procedures should be applicable to both societies? Clearly, "equal" provisions are not equal given the difference in the two societies. Given the emphasis the administration places on asymmetric reductions as the reason for the treaty, it should be at least as important to have asymmetric rights of inspection in order to verify Soviet compliance and monitor Soviet acts of non-compliance. (The Soviets have traditionally distinguished between verifying compliance -- e.g., observing that they are dismantling what they say they are dismantling, but only that -- and verifying non-compliance -- e.g., determining that they do not have more systems than they claim. The latter they reject.)

If we are going to place the emphasis we are now placing on deep reductions in forces, and at the same time be serious about verification, we will have to have far more comprehensive access to the Soviet Union than is called for by the INF agreement; but the Soviets should have far less intrusive physical access in the United States since their information-access is already more than adequate. I have no doubt that the Soviets can save money and effort by simply continuing to monitor our open legislative and budgetary processes to verify U. S. compliance with agreements.

Recommendations:

Personally, I believe that this agreement is too likely to be a strategic trap, which debilitates the West far more than it reduces the Soviet threat, and I would not wish to see it ratified. I realize, however, what a minority view this is; although I would not wish to concede ratification of the agreement as it now stands or without conditions.

If there is to be an agreement, my own preference would be for an INF reductions agreement that established reduced, equal ceilings on INF, rather than one that eliminates U. S. INF and all options to improve that capability. This is particularly so, as I have said, because I do not believe the current agreement will in fact eliminate corresponding Soviet capabilities. The zero-zero agreement, I fear, will in practice most likely become a single-zero agreement: zero on the Western side, and retention of appreciable capabilities on the Soviet side.

The objection to that proposal, I know, is largely a verification one; but I believe the verification provisions for the current agreement to be deficient anyway. In fact, we are really left ultimately with the belief that complying with this agreement is in Soviet interests, as the Soviets define them. So the situation is no different if we allow forces on each side; and I would be far more comfortable if NATO retained LRINF and the ability to build up SRINF. I suspect most Western European military leaders would also.

I would also counsel deferring ratification until there is a sound companion agreement governing strategic nuclear forces, except that I would wish to emphasize the "sound" and not wish to encourage the present propensity of the administration to rush through with a START agreement, or with Vladivostok-like agreements in principle. The strategic nuclear balance is too critical to this INF agreement

to approve it without knowing the nature of a possible START agreement, including whether it seals off the SS-25 loophole and whether it allows the U. S. to proceed with a vigorous SDI program, including deployment, or whether it prevents these, directly or indirectly.

Short of these suggestions, I would recommend the following:

- Close the major loopholes and ambiguities in the agreement, clarify the terms - many of which are ambiguous and will give rise to interpretation difficulties; and improve verification.

- Demand of the administration a sound and effective compliance policy, including planned safeguards against Soviet non-compliance, and support this legislatively. Or impose such a plan on the administration.

- Require comprehensive programs for strategic force modernization on a higher priority than now exists.

- Increase defense spending.

- Approve and fund a NATO nuclear and conventional force modernization plan, such as the NATO Defense Initiative; carry through with the Montebello modernization agreements.

- Modify the agreement to permit non-nuclear long range GLCM.

- Resume ER warhead production, authorizing warheads for the 155, and require the administration to work out an arrangement with the allies for deployment of ER warheads in Europe. The purpose of these warheads was to bolster defense against attacks, while lowering collateral damage, and they are needed even more with the removal of the INF.

- Proceed with development and deployment of theater defenses against air-breathing and missile threats. One of the major reasons for the deployment of LRINF in the first place was a conclusion at the time that cost-effective means for defending against Soviet air and missile threats were not then comparable to LRINF options enabling us to attack the threats at their source. We are now removing these options, so the earlier decision should be removed, especially in light of advances in defense technologies since that time.

In summary, Mr. Chairman, considering both INF and START, we are once again expecting too much from arms control and allowing it to dominate strategic planning. We are attributing too much importance to concluding an arms limitation agreement, while the security of the United States and its allies rests far more with factors extraneous to these agreements, including our own defense programs, than with an agreement. Yet, an agreement can greatly influence such factors, including our own defense efforts, and that influence, as we have seen in the past, is generally adverse. It will result most likely in a dampening, or even paralysis, of theater and strategic nuclear force modernization programs well beyond the actual terms of the agreement; and a disproportionate conformity to the "spirit" of the agreement, while the Soviets will disregard the spirit and possibly also the letter of the agreement.

One cannot help but observe that the strategic trends since we have been so engaged in the arms control process for nearly twenty years have been the opposite of what the United States hoped to accomplish through arms control: not strategic parity with the Soviet Union, but Soviet superiority; not greater survivability of our deterrent forces, but greater threats to them; not enhanced stability, but instability.

Over forty years ago, the distinguished political commentator, Walter Lippmann summarized very well the lessons of arms control: "The disarmament movement was, as the event has shown, tragically successful in disarming the nations that believed in disarmament." Leaving, of course, those who believed in armament to pursue the arms programs that disrupted and weakened the alliances standing in the way of war. I sincerely hope that we have learned from such lessons.

WHERE WE STAND ON ARMS CONTROL

Introduction

On 4 April 1977, the Committee on the Present Danger stated:

We live in an age in which there is no alternative to vigilance and credible deterrence at the significant levels of potential conflict. Indeed, this is the prerequisite to the pursuit of genuine agreements that effectively serve to reduce the danger of war.

Weakness invites aggression. Strength deters it. Thus, American strength holds the key to our quest for peace and to our survival as a free society in a world friendly to our hopes and ideals.

The Reagan Administration entered office holding that the restoration of American military strength vis-a-vis the Soviet Union was essential both as a security measure and as a prerequisite to beneficial negotiations with the Soviet Union, including negotiations on nuclear arms. The Administration's initial five-year defense program, however, fell far short of restoring a survivable and credible American nuclear deterrent. As we regretfully concluded in 1982: "The Administration's defense program is a minimal one. It will not halt the unfavorable trends in the U.S.-Soviet military balance, let alone reverse them."²

The United States resumed nuclear arms control negotiations with the Soviet Union in November 1981. In 1983, after two years of difficult negotiations, as NATO responded to the build-up of Soviet SS-20 missiles by beginning the deployment of a modest number of PERSHING II ballistic missiles and ground-launched cruise missiles (GLCMs), the Soviets

¹See "What Is the Soviet Union Up To?", in Charles Tyroler II, ed., Alerting America: The Papers of the Committee on the Present Danger, (Pergamon Brassey's International Defense Publishers, New York, N.Y., 1984), p. 15.

²See "Is the Reagan Defense Program Adequate?," in Tyroler, ed., Alerting America, p. 196.

abruptly broke off the negotiations on intermediate-range nuclear weapons (INF) and on strategic nuclear weapons (START).

After more than a year's absence from the negotiating table, the Soviets returned to Geneva in early 1985. As this report is being written, the fifth round of U.S.-Soviet nuclear arms negotiations has ended. The purpose of this document is to place the issues in these ongoing negotiations in context and to state the criteria by which their outcome should be judged from the point of view of the national security of the United States.

The Politics of Arms Control

Like its recent predecessors, the Reagan Administration is being buffeted by increasing pressures to arrive at a nuclear arms control agreement with the Soviet Union. These pressures fueled the arms control fever of the 1970s, and did great damage to the national security of the United States.³ At home and abroad, our government faces a clamor of anxious voices — the voices of well-meaning Americans, Canadians, Europeans and Japanese who still believe, in the teeth of the evidence, that arms control agreements are a magic nostrum for achieving "detente" and peace without blood, sweat or tears. The leaders and prospective candidates of U.S. political parties both in 1986 and 1988 feel threatened by the rivalry of politicians who exploit the universal fear of nuclear war and yearning for an end to the Cold War by demanding arms control agreements at almost any price.

Caught between the federal budget deficit and President Reagan's opposition to any further tax increases, both members of Congress and the Executive Branch have hesitated to commit themselves to the programs which the United States needs to restore the military balance and renew the foreign policy of containment which served the nation so well since President Truman adopted it in 1947.

In the face of these formidable realities, it is hardly remarkable that members of Congress and of the Administration are tempted by the possibility of reaching almost any arms control agreements with the Soviet Union. This would be a tragic mistake. A solid and responsible nuclear arms control agreement could be a useful supplement to a firm

³The term "arms control fever" refers to the belief that arms control treaties can substitute for an adequate U.S. defense and that arms control negotiations will diminish Soviet aggressive tendencies and ease international tensions. This view runs counter to the record of historical experience. (See Eugene V. Rostow, "Arms Control Fever," National Review, 19 August 1983, pp. 994-999.)

Western policy of collective security in the Atlantic, the Pacific and the Middle East. It can never be a substitute for such a policy.

Many still believe, quite wrongly, that peace would be a natural and inevitable by-product of a nuclear arms control agreement between the Soviet Union and the United States and therefore that obtaining such an arms control agreement should be regarded as the chief problem of American and Western foreign policy. That myth should have died in the 1970s, when the world simultaneously experienced both SALT I and the negotiation of SALT II on the one hand, and the worst decade of the Cold War on the other, with Soviet and Soviet-supported attacks on Western interests in the Far East, the Middle East, Africa and the Caribbean. But the myth did not die.

The United States cannot afford and must not accept another bad arms control agreement. And it should recognize the fact that true arms control must follow the establishment of a political concord, not precede it. The arms control agreements made between 1919 and the late 1930s, and since 1945, all failed because they did not rest on the foundation of a prior political understanding. The Versailles Treaty, the Washington Naval Treaty, and the endless and futile disarmament talks of the 1930s are not an inspiring memory.

The starting point for analysis of the arms control problems we face is that there is as yet no political understanding between the United States and the Soviet Union. On the contrary, the Soviet Union is waging a new kind of half-war against the West. The West has so far refused to respond effectively, preferring to believe that a little more imagination, ingenuity and empathy on our part will induce the Soviet Union to behave in the world community like other states in accordance with the international rules against aggression.

In short, the United States is still sleepwalking, in President Kennedy's phrase, as Britain and the United States did in the 1930s. But there is even less excuse for such behavior now than there was fifty years ago. The United States has endured the bitter

experience of unfulfilled promises many times since then. We should have learned from it. The words of George Washington's First Annual Address to both Houses of Congress in 1790 still ring true: "To be prepared for war is one of the most effectual means of preserving peace."

The Root Of The Problem

Throughout the West, far too many people still assume that the goal of Soviet foreign policy is a mirror-image of our own and that the reason it has been so difficult to reach nuclear arms control agreements with the Soviet Union is the Russian fear of aggression from the West. Such people cling to the belief that extended discussions between Soviet and Western citizens and officials, and sufficient skill on the part of U.S. and Western negotiators would clear away "misunderstandings" and convince the suspicious Soviet diplomats that our intentions are honorable and that the Soviet Union has nothing to fear.

This view does not do justice to the dedication and discipline of the able officials of the Soviet government. The tension between the Soviet Union and the rest of the world does not arise from mutual misunderstandings. And it cannot be cured by extended conversation, however sensitive, sympathetic and well informed.

The true cause of East-West tension is the continuing process of Soviet expansion, which threatens the balance of power. The so-called arms race is not the cause but the consequence of that tension. The tension itself is one of the oldest and most familiar phenomena of human history: the occasional effort of a strong state to achieve hegemony, and the defeat of that effort through the mobilization of resistance by states which prefer to fight if necessary in order to preserve their independence. Since 1945, the Soviet Union has pursued its policy of expansion with increasing energy and resources.

At the heart of the West's security problem is the fact that the Soviet strategy of expansion has been accomplished — and is still being accomplished — by the aggressive

use of force and the threat of force in violation of the formal norms of international law. Unless the Soviet Union gives up its dream of empire and abandons aggression, world political stability will be threatened with anarchy. President Reagan has said that the world cannot live under a double standard. Unless the Soviet Union respects the rules of international law against aggression, those rules will cease to have any influence on the behavior of states. As Adlai Stevenson said a generation ago, the United States must not stand by and be nibbled to death.

It is against this background that the nuclear arms control negotiations of the last twenty years should be viewed.

Arms Control in the Broader Perspective

The goal of the United States in the nuclear arms control talks since 1969 has been agreement based on the principle of U.S.-Soviet equality in nuclear deterrent capability. Agreements which meet this standard would deny either side the capacity to tilt the nuclear balance in its favor by executing a preemptive first-strike, but would allow each side to protect its vital interests by nuclear retaliation in the event of attack. It has been and remains the U.S. and Western view that such agreements would be stabilizing even in times of crisis and would therefore reduce the risk of war.

The Soviet negotiating pattern since 1969, however, has been quite different, and is consistent with only one hypothesis: that the Soviet objective in the negotiations is to obtain U.S. and Western acquiescence in a Soviet "right" to massive nuclear superiority, especially in land-based ballistic missiles. The 1972 Interim Agreement on Strategic Offensive Arms accepted a Soviet advantage in ICBMs, and the Soviet Union has been trying through arms control to get its superiority in ICBM warheads and throwweight recognized as a law of nature.

In 1972, when the SALT I agreements were signed, the United States and the Soviet Union had approximately the same number of warheads on intercontinental land-based ballistic missiles and the United States had a comfortable lead in sea-based and airborne forces. The U.S. capacity for nuclear retaliation was beyond question. In 1986, the Soviet Union has an advantage of more than 3 to 1 in the number of warheads deployed on ICBMs and an advantage of more than 4 to 1 in deployed ICBM throwweight, that is, in the lifting capacity of the missiles. Soviet sea-based and airborne nuclear forces have made comparable if less spectacular gains. In addition, the Soviet Union has an overwhelming superiority in advanced intermediate-range land-based weapons threatening Europe, Japan, China and the Middle East, the only operational ABM defense system (around Moscow) and the most extensive air defense network in the world.⁴

The Soviet Union believes that clear-cut nuclear superiority would be the ultimate sanction behind its program of indefinite expansion achieved by the use and threat to use conventional forces, proxy forces, terror and insurrection. In the face of a disarming Soviet first-strike capability against the United States, neither the United States nor other Western nations could use conventional forces to defend their interests.

Why should the Soviet Union plunge into the unknown by firing a nuclear weapon when its nuclear arms build-up is having such a corrosive political effect on Western policy? One important mission of such a nuclear first-strike capability is to separate the United States from its allies both in the Atlantic and the Pacific and to force the United States into a position of isolation. Once U.S. forces had been withdrawn from Europe, the Mediterranean and the Far East, Western Europe, Japan, China and many smaller countries would have no choice but to accept Soviet overlordship. The world balance of power would

⁴The magnitude of the Soviet build-up and the development by the Soviets of a first-strike capability is analyzed in Can America Catch Up?: The U.S.-Soviet Military Balance.

be fundamentally altered to the disadvantage of the United States. In addition, as this Committee stated in 1977, the massive Soviet build-up in strategic offensive weapons and their heavy emphasis on defensive programs, including "civil defense and hardening of command and control posts against nuclear attack... suggest that they take seriously the possibility of nuclear war and believe that, were it to occur, they will be more likely to survive and to recover more rapidly than we."⁵

The Nuclear Weapon In Political Context

Even if the Soviet Union should agree to a nuclear arms agreement based on the principle of U.S.-Soviet equality in deterrent power, taking offensive and defensive weapons into account, the United States would have accomplished little. An agreement which promises immunity from nuclear war but in effect licenses conventional war without limit would be a deception as well as an illusion. Conventional war has grievously damaged the fabric of civilization since 1914. And it could lead to nuclear war. Even with a good arms control agreement, the United States and the other Western powers would have to maintain a secure retaliatory nuclear capacity.

The United States rightly takes the position that an attack on its allies and other geopolitical interests will be treated as an attack on itself. There is no escape from the strategic realities which compel this policy. Because of its inherent strength and the fact that it is the only country in the world which can offer a counterweight to the Soviet nuclear arsenal, the United States must continue to take the lead in achieving and maintaining a balance of power in world politics. As this Committee said at its founding on November 11, 1976:

⁵"What Is the Soviet Union Up To?," in Tyroler, ed., Alerting America, pp. 13-14.

Without a stable balance of forces in the world and policies of collective defense based on it, no other objective of our foreign policy is attainable....

From a strong foundation, we can pursue a positive and confident diplomacy, addressed to the full array of our economic, political, and social interests in world politics. It is only on this basis that we can expect successfully to negotiate hardheaded and verifiable agreements to control and reduce armaments.

If we continue to drift, we shall become second best to the Soviet Union in overall military strength; our alliances will weaken; our promising rapprochement with China could be reversed. Then we could find ourselves isolated in a hostile world, facing the unremitting pressures of Soviet policy backed by an overwhelming preponderance of power. Our national survival itself would be in peril, and we should face, one after another, ⁶bitter choices between war and acquiescence under pressure.

The existing Soviet advantage in land-based intermediate-range and intercontinental ballistic missiles is already having what former German Chancellor Helmut Schmidt accurately called a "subliminal" effect on political attitudes throughout the West.⁷ In the United States the political influence of the Soviet advantage is encouraging doubts about the feasibility of "extended deterrence" and strengthening the perennial American impulse to withdraw from world politics into isolation. Many advocate reducing or even withdrawing our military forces from Europe, the Mediterranean and the Far East. Some counsel turning our military bases in the Philippines and other parts of the Pacific over to Japan. Others advise putting NATO forces under a European rather than American commander. There is, however, no difference between the requirements of "deterrence" and "extended deterrence." The protection of the United States and the protection of U.S. allies require the same measure of U.S. nuclear retaliatory capability.

⁶"Common Sense and the Common Danger," in Tyroler, ed., *Alerting America*, pp. 4-5.

⁷According to the former French Ambassador to NATO, Francois de Rose, this "subliminal" effect could best be eliminated if the United States and Soviet Union "agree to a plan that would restore the entire Soviet-American nuclear equation to a condition that would permit deterrent, retaliatory capacity on both sides, but not the capacity to (Footnote Continued)

These dangerous impulses toward isolation can be brought under control only by strong leadership and a positive and confident foreign policy backed by military forces whose deterrent strength is both visible and unchallengeable.

There are only three ways in which the Soviet Union's growing first-strike capacity can be nullified:

- (1) By a crash building program, in intercontinental and in intermediate-range forces;
- (2) By the development of ballistic missile defenses, which could alter the existing nuclear equation by making it necessary for the Soviet Union to use 80 or 90 percent of its ICBM force, rather than 25 or 30 percent, to execute a preemptive first-strike; or
- (3) By a nuclear arms agreement based on the principle of eliminating a first-strike capacity for either side.

It would certainly be desirable to eliminate the threat of a first-strike capability by U.S.-Soviet agreement, and that goal, carefully explained to the Western publics, should be rigorously pursued by the U.S. negotiators at Geneva. There is no reason, however, to believe that this goal is acceptable to the Soviet Union. The objective of the Soviet nuclear arms buildup, unrelentingly pursued for more than twenty years, has been to acquire and enlarge its first-strike capability. Such a capability, Soviet leaders believe, would prevent any Western interference with the Soviet programs of expansion throughout the world and permit such expansion to be accomplished more and more by political pressures rather than by war. Soviet leaders still seem to believe in the most un-Mandst doctrine that the future of world politics will be determined by the correlation of military forces. And despite recent increases in U.S. defense spending, the Soviet Union continues to gain over the United States in virtually all the important

(Footnote Continued)

execute a preemptive first strike." (See "Beware the Loss of Fear," The Atlantic Community Quarterly, vol. 24, no. 1 (Spring 1986), p. 4.)

categories of military power. With present and prospective cuts in U.S. defense spending, the Soviet lead will inevitably increase.

The Challenge of the Future versus the Record of the Past

The United States has been willing to compromise its security in the hope that reaching a nuclear arms agreement with the Soviet Union would induce the Soviets to abandon their expansionist policies and to abide by accepted rules of international behavior; as is now obvious, this policy was misguided. When the SALT process emerged as the centerpiece of U.S.-Soviet relations, the "process" assumed greater importance than the details of any agreements. Fundamental U.S. national security objectives were then compromised as the Soviet military build-up and the program of Soviet expansion continued unrestrained by arms control while U.S. options for countering the Soviet threat were severely limited.

As the Committee on the Present Danger pointed out in 1977, "arms control agreements cannot in themselves assure a nuclear standoff and permit a smaller U.S. effort."⁸ Arms control cannot substitute for sound and prudent foreign and security policies. The massive Soviet nuclear build-up, which occurred during a decade of SALT negotiations and was sanctioned by them, led to the increased vulnerability of U.S. nuclear forces to a Soviet first-strike — exactly the threat which the United States hoped to limit through SALT agreements in the first place. Further, SALT prohibited effective defense of threatened U.S. forces,⁹ disallowed or discouraged proliferation of aimpoints and

⁸"Where We Stand On SALT," in Tyroler, ed., Alerting America, p. 21.

⁹The 1974 Protocol to the ABM Treaty of 1972 allowed for a limited ballistic missile defense at only one site. The United States phased out its ABM complex at Grand Forks, North Dakota in 1976. The Soviets continue to modernize and upgrade their system around Moscow.

discouraged both concealment and mobility of ICBMs. The SALT process, looked upon by many as a means to achieve significant defense budget savings, undermined strategic stability and is largely responsible for the need to increase U.S. spending on development of new strategic nuclear forces.

To the United States, the main objective of SALT was to reduce the weight of U.S. and Soviet nuclear arms in world politics. The United States, by exercising unilateral restraint in developing weapons, hoped to encourage a matching Soviet response. Yet this assumption of mutuality and "parallelism" was not reciprocated by the Soviet Union in its bargaining stance and tactics. As former Secretary of Defense Harold Brown testified, "When we build, they build; when we cut, they build."¹⁰

Since SALT began in 1969, the Soviet Union's objective has been to forge an advantage in strategic power while placing maximum restraints on U.S. programs. In the classic Soviet fashion, negotiations are seen as a means of stalling the adversary's momentum while maintaining its own. The differences in both sides' approaches and objectives were highlighted by this Committee in 1977. They are still relevant today:

...the Soviets have used to advantage the mounting pressure of their high rate of technical developments and weapons deployments relative to our own. To the extent that these trends appeared likely to continue, the U.S. was encouraged to conclude that time was running against its position. This increased the pressure on the U.S. to move prematurely — and perhaps unwisely — toward partial agreements of limited usefulness. There has been no similar time pressure on the Soviets.

Simultaneously, the Soviets have sought to use public opinion and Congressional pressure to induce Washington to agree to unequal compromises unfavorable to the United States. Meanwhile, the Soviet Union was under no such pressure and could blame the U.S. when negotiations faltered or threatened to collapse.¹¹

¹⁰ See testimony of Harold Brown before Senate Budget Committee, 21 February 1979, reprinted in Congressional Record, 21 February 1979, p. S1547.

¹¹ "Where We Stand On SALT," in Tyroler, ed., Alerting America, p. 17.

In the SALT II negotiations, the United States placed too much emphasis on the perceived negotiability of its proposals and too little emphasis on whether strategic stability was strengthened or undermined. Pressures for reaching an agreement led to U.S. concessions that were politically and militarily unsound.

Why SALT II was Fatally Flawed

In light of the President's recent decision regarding continued U.S. compliance with SALT II,¹² it is important to recall the terms of the SALT II Treaty, signed in 1979, and the reasons why it developed opposition which led the Carter Administration to conclude that the Senate would not consent to its ratification.

The SALT II Treaty was "fatally flawed," as many months of public debate demonstrated. Public and Congressional support for the treaty ebbed progressively as the debate focused on its terms, on the continuing Soviet build-up and on the Treaty's impact on U.S. security. The more the public and Senate learned about the treaty, the less they liked it.¹³

Opposition to SALT II was not a partisan issue. The Senate Foreign Relations Committee recommended over twenty substantive changes and reservations to the Treaty, and the Senate Armed Services Committee voted unanimously that it was "not in the national security interests of the United States." SALT II, like SALT I, would have legitimized the enormous Soviet arms build-up while preventing the United States from catching up, especially in ICBMs. As the Committee on the Present Danger declared in 1979:

¹²A discussion of this issue can be found at pages 62-66.

¹³The Committee has documented the fatal flaws of SALT II in numerous statements. The shift in public attitudes away from support for the Treaty was clear. See "Public Attitudes on SALT II," in Tyroler, ed., Alerting America, pp. 119-123.

...SALT II...will not reduce the risks of war. On the contrary, it can increase the risks of war if it reinforces the judgment¹⁴ that we are militarily stronger than the USSR at a time when we are not.

Throughout the debate on SALT II, the Committee on the Present Danger analyzed the terms of the agreement and pointed out the weaknesses in the Carter Administration's case for the treaty. SALT II — with its high and ineffective ceilings on armaments, its inequalities and its numerous loopholes and ambiguities — would have allowed the Soviets to increase their nuclear capabilities substantially, and would have locked the United States into a position of permanent strategic inferiority. It would have legitimized a permanent Soviet first-strike capability in world politics, thereby weakening the credibility of U.S. security guarantees. Key provisions of the treaty were unequal and unverifiable. This was repeatedly brought out in Senate hearings.

SALT II grants the Soviets the right to possess more than 300 large modern ("heavy") ballistic missile launchers. The United States is prohibited from developing comparable systems. The Soviet Union's heavy SS-18 launchers alone can hurl more explosive force at U.S. targets than that of the entire U.S. arsenal of ICBMs and SLEMs combined. The Soviet first-strike capability has grown as a result of recent qualitative improvements made to the SS-18 force. These were unrestricted by SALT II.

SALT II also excludes from its limits the intercontinentally-capable Soviet BACKFIRE bomber, a formidable threat to the United States, as well as to vital U.S. interests in Europe, Japan and the Middle East.¹⁵ The current Soviet BACKFIRE inventory has grown to approximately 300. At the same time SALT II includes in its limits more than 200 U.S.

¹⁴"Is SALT II A Fair Deal for the United States?," in Tyroler, ed., Alerting America, p. 162.

¹⁵In a separate statement, the Soviets declared that they would not give the BACKFIRE "the capability of operating at intercontinental distances" (which it has) and that they would "not increase the production rate" over then-current levels (which they subsequently did).

B-52 bombers that are "mothballed" or being scrapped. To sanction the possession by the Soviets of a modern strategic bomber force uninhibited by formal treaty limitations while the United States must count unflyable bombers against its ceilings is a mockery of the principle of equality. This is especially so given the extensive Soviet air defense network and the lack of a U.S. continental air defense system.

Many of the terms of SALT II are ambiguous and imprecise. For example, the treaty directly limits launchers, not missiles or warheads; and yet, the definition of a "launcher" is given as a meaningless tautology.¹⁶ The definition of a heavy bomber is not precise. SALT II lists only those bombers to be included under its terms. Future bombers will be included if they "can carry out the mission of a heavy bomber in a manner similar or superior to that of bombers listed." The BACKFIRE can carry out such missions, but it is excluded nevertheless. The "equal" limitations of SALT II are cosmetic, not real.

In short, the Committee on the Present Danger's analyses of SALT II showed that the Treaty did not satisfy any of the three original U.S. negotiating objectives:

1. It did not enhance strategic stability by providing for "essential equivalence;"
2. It did not enhance crisis stability by helping to alleviate the increasing vulnerability of the MINUTEMAN ICBM force (in fact, it artificially restricted the U.S. ability to deal with the Soviet threat to that force); and
3. It did not effectively reduce Soviet strategic capabilities by providing for true reductions.

SALT II — "fatally flawed" in President Reagan's apt description — cannot accomplish these important objectives any better today than in 1979.

¹⁶ According to the SALT II Treaty, "ICBM launchers" and "SLBM launchers" are defined as "launchers of ballistic missiles...."

The Reagan Administration's First Term: A "New" Approach to Nuclear Arms Control?

The Reagan Administration took office declaring that a new framework for U.S. foreign and defense policy was essential — a framework that was free of the flaws of SALT I and II.

On 18 November 1981, President Reagan proposed that the United States and Soviet Union begin negotiations to reduce the levels of intermediate-range nuclear ballistic missiles. The United States entered the INF negotiations with a proposal to reduce these weapons to zero, the "zero option," despite misgivings that the complete elimination of U.S. intermediate-range nuclear weapons from Europe and the Far East would "decouple" allied security from that of the United States.

After extensive analysis, on 9 May 1982, President Reagan proposed strategic arms reduction negotiations (START) which would "reduce the risks of war by removing the instabilities that now exist and by dismantling the nuclear menace."

The U.S. INF and START proposals have been substantially revised, partly in deference to Soviet objections and partly in response to Congressional pressures for greater U.S. "flexibility." In INF, the Administration put aside its insistence on the "zero option" to try to negotiate an "interim solution" based on strict U.S.-Soviet equality both in and near Europe and in the Far East. Successive proposals to this end were made in 1983, each at a slightly higher quota for both sides. In START, the Administration incorporated a "build-down" mechanism into its proposal in order to help secure Congressional funding for the MX missile.

Some observers believe that the Reagan Administration's "seriousness" about arms control is best measured by how often and how quickly it is willing to weaken its position. Many have charged the Administration with "not being serious" about arms control. Such criticisms have largely been thinly-disguised attempts to pressure the Administration into making unsound unilateral concessions. Obviously, the "seriousness"

of any Administration should be judged by the terms of the agreement under negotiation. Willingness to concede Soviet nuclear superiority is not the hallmark of a "serious" American arms control approach, but of a lingering belief, despite the lesson of experience, that a nuclear arms agreement with the Soviet Union, whatever its terms, somehow contributes to peace.¹⁷

Any U.S. arms control proposal must be judged first on the basis of its impact on Western security — not on its presumed "negotiability." A bad arms control agreement which jeopardizes the security of the United States and its allies is worse than none at all.

Unfortunately, the evidence thus far publicly available gives no grounds for expecting that the current arms control negotiations in Geneva will reverse the dangerous and destabilizing trends in the military balance which are the legacy of SALT I and SALT II. At a minimum, any agreement must not prohibit the United States from restoring a survivable deterrent.

The ill effects of 15 years of SALT cannot be undone by a few years at the Geneva negotiating table. The impact of previous arms control agreements on the nuclear balance justifies a healthy skepticism about any future accords. For arms control to be beneficial to U.S. security, the Soviets must abandon their quest for permanent military superiority and accept equitable agreements based on U.S.-Soviet nuclear parity.

¹⁷ This point was made best by Assistant Secretary of Defense Richard Perle before a special panel of the House Armed Services Committee in 1983 when he asked: "Is it a sign of seriousness to make concessions to the Soviet desire to accumulate and preserve significant advantages in nuclear weapons? Is the ease with which we abandon our objectives and make 'progress' toward an agreement — any agreement — a sign of seriousness? Is there any relationship between seriousness and the content of the agreements we seek to negotiate?" (See testimony of Richard Perle before a special panel on Arms Control and Disarmament, House Armed Services Committee, 12 July 1983.)

Essentials of START

The Administration's initial approach to START, as outlined by the President in May 1982, consisted of two phases:

PHASE I

1. Emphasis would be placed on limiting "deployed missiles and warheads."
2. The first focus of limitations would be on ICBMs and SLEMs. Bombers would be limited separately to 400.
3. No direct limitations would be placed on bomber weapons.
4. No more than 2,500 ICBM warheads would be permitted for each side.
5. ICBM and SLEM warheads would be limited to 5,000 for each side.¹⁸
6. The total number of "deployed" ICBMs and SLEMs would be limited to 850.
7. A limit of 210 would be set on medium and heavy ICBMs, with a sub-limit of 110 on heavy ICBMs.

PHASE II

1. Reductions were to be sought in ICBM throwweight.
2. Equality in ICBM throwweight would be established at a lower number than the current U.S. level.
3. Air-launched cruise missiles (ALCMs) would be limited by SALT II counting rules.

¹⁸ The rationale for this structure was that it took advantage of an accident of arithmetic to reconcile the Soviet principle of equal reductions with the American principle of reductions to equal levels. Counting deployed ICBM and SLEM warheads together, each side then had approximately 7,500. The sublimit on ICBM warheads, the heart of the U.S. proposal and its most important feature from the point of view of the national security of the United States, would require the United States to give up more SLEM warheads and the Soviet Union more ICBM warheads, thus greatly reducing the Soviet Union's massive lead in throwweight, and initiating the process of adjusting both forces to equal numbers of warheads and equal throwweight.

In July 1983, the Reagan Administration modified its original START proposal. Both phases of START were combined into a single phase with the primary focus on ballistic missiles and warheads as the units of account. The principle of reduction to equal levels remained firm, as did the 50 percent sublimit on ICBMs. Destructive capacity (throwweight) was to be limited by direct or indirect limits; the method was negotiable.

The proposed limit on "deployed" ICBMs and SLBMs was revised upward to a figure between the original U.S. proposal of 850 and the reported Soviet proposal of between 1,600 and 1,800. While the 5,000 ICBM and SLBM warhead limit remained intact, the 2,500 sub-limit on ICBM warheads was said to be "negotiable."¹⁹

The United States proposed two ways of reducing the disarming first-strike potential of the Soviet strategic nuclear missile arsenal:

a) Restricting ballistic missile throwweight to a level between the present 1.8 million kilogram U.S. level and the present 5.6 million kilogram Soviet level, but significantly lower than the Soviet level;

b) Soliciting the Soviets for alternate specific limitation proposals.

While the United States expressed willingness to discuss limitations on all strategic weapons, President Reagan declared at the outset that the focus of U.S. efforts would be "to reduce significantly the most destabilizing systems — ballistic missiles — the number of warheads they carry and their overall destructive potential."²⁰

¹⁹ Responding to a Soviet counter-proposal in October 1985, the United States proposed revised limitations of 4,500 on deployed ballistic missile warheads and 3,000 on deployed ICBM warheads. (See pages 41-42.)

²⁰ Speech by the President at Eureka College, 9 May 1982.

The Soviet START Proposal

The initial Soviet START proposal in 1982 called for a putative 25% reduction in strategic nuclear "launchers" on both sides, resulting in a limit of 1,800 ICBM and SLEM launchers and bombers, according to Soviet counting practices.²¹ The Soviets later expressed willingness to establish an overall aggregate ceiling on deployed missile warheads and bomber weapons, but they never provided a specific number for such a weapons ceiling. According to U.S. officials, previous Soviet demands for extreme restrictions on the U.S. TRIDENT submarine program, as well as a total ban on U.S. long-range ALCMs, were revised. (The latter has again become integral to the Soviets' negotiating posture in Geneva.) The Soviets declared their START proposal was contingent upon the United States' not deploying ground-launched cruise missiles (GLCMs) and PERSHING II ballistic missiles in Europe, and in late 1983 they broke off the Geneva negotiations when the first PERSHING IIs and GLCMs were deployed.

The manifest objective and effect of the Soviet proposal would be to perpetuate and enhance the Soviet strategic nuclear advantage achieved since 1972. Obviously, "equal" reductions from unequal starting points can only increase the imbalance.²² There was another reason for the United States to reject the Soviet proposal, as former Secretary of Defense Harold Brown noted. He pointed out that although the Soviet proposal was "virtually a playback" of earlier Carter Administration proposals, "restrictions on Soviet

²¹The concept of "launcher," initially introduced in the SALT I Treaty and also used in the SALT II agreement, has never been defined adequately. As it is now used by the United States and the Soviet Union, it covers silo-launchers deployed in the open, where they can be photographed from satellites, but does not cover missiles which can be hidden or deployed covertly. Allowing missiles to be produced without limitation also does not resolve the problem of reloading and refiring missiles from the same launch mechanism, or from launch mechanisms not controlled under SALT.

²²For example, reducing an imbalance of 12:6 by 3 on each side increases the ratio of advantage for the superior side from 2:1 to 3:1 (9:3).

missiles would have to be far more severe today than seven years ago because of the enormous progress the Soviets have made in missile accuracy." According to Brown, the Soviet proposal was unacceptable because "we face a threat now that we didn't then."²³ Brown's analysis was — and remains — correct.

START: Principles and Issues

As the Soviet Union achieved first parity and then a growing superiority in intermediate-range and intercontinental land-based ballistic missiles, the Committee on the Present Danger repeatedly emphasized the instability caused by the increasing vulnerability of U.S. strategic nuclear forces and particularly the vulnerability of U.S. ICBMs. Our Committee has called for a timely response to the massive Soviet build-up in ICBM capabilities. Thus far, the United States has failed to implement a timely and effective response to this Soviet threat. There is no need to emphasize the disappointments and shortcomings of the MX program, and the long delay in the development of the "MIDGEMAN" ICBM.

The vulnerability of U.S. ICBMs has profound strategic and foreign policy implications. A survivable ICBM force provides a hard-target strategic capability which is essential to the success of official U.S. strategic doctrine.²⁴ It is also critical to the U.S. policy of "extended deterrence," by which U.S. strategic nuclear forces extend a measure of deterrence (the "nuclear umbrella") to U.S. allies. Without a credible retaliatory capability, the United States would be unable to use either nuclear or conventional forces in defense of its own territory or its interests abroad.

²³ Interview with Aerospace Daily, reported on 13 October 1982, p. 226.

²⁴ The Committee has elaborated on this point in "The Elements of Deterrence," in Can America Catch Up?: The U.S.-Soviet Military Balance, pp. 5-7.

The United States proposed a reduction in the massive Soviet advantage in ICBM throwweight by decreasing the number of deployed Soviet medium and heavy missiles. In the view of our Committee, however, this approach is deficient because it would not address the throwweight issue directly and unambiguously. The throwweight of a missile determines how many warheads it can carry. As warheads become smaller and the technology of MIRVing improves, throwweight becomes an even more important standard for arms control agreements.

The requirement of true equality in throwweight can be approached only by prescribing direct limits on it. Throwweight remains the most critical single measure of the destructive potential of ballistic missiles. The vulnerability of U.S. ICBMs would be eased if Soviet missile throwweight were significantly reduced. The Soviet throwweight advantage is the currency of Soviet nuclear blackmail against the West. Failure to achieve significant reductions to equal levels would allow the Soviets to exploit their throwweight advantage militarily and politically.

The Administration's counting rules in START focus primarily on the number of "deployed" missiles and warheads. Since only missiles that are in silos or submarine launching tubes are considered to be "deployed," the current START framework of limitations on "deployed" systems is militarily indistinguishable from the SALT framework based on launcher limits.²⁵

There is no place in a nuclear arms control agreement for limits on launchers. Such limits would bias future force developments in the wrong direction — toward larger, more highly MIRVed and therefore more destabilizing weapons systems. If launchers are used as the unit of account in an arms control treaty, each side has an incentive to make them as

²⁵ Indeed, one senior Administration official, in a May 1982 background briefing for the press, confirmed that the U.S. START proposal called for "significant reductions in deployed missiles, i.e., launchers." There was no apparent reason for the launcher limit included in the U.S. proposal. It was added at the last moment, and was justified as likely to please the Soviet negotiators, who were familiar with using launchers as a unit of account as a result of the SALT process.

powerful as possible, and to load them with the greatest possible number of warheads. If, on the other hand, throwweight and warheads are used together as the unit of account, each side will seek to divide its quota among a larger number of smaller launchers until the warhead limit is reached. Such a force structure is far more compatible with policies of retaliation and deterrence than one based on launcher limits.

Rather than increase stability, the U.S.-proposed START limit of 850 deployed missiles would have actually decreased stability because U.S. missiles would have been concentrated in too few aimpoints, taking into account the size and sophistication of the deployed Soviet strategic arsenal, and the uncounted Soviet reserves in warehouses and factories. Such a concentration would increase the Soviets' incentive to strike first in a crisis or confrontation — or, indeed, "out of the blue." Such a framework, involving limitations on launchers, could undermine the development of a future small, single-warhead ICBM, thereby eliminating a promising avenue for restoring strategic and crisis stability.

The Committee on the Present Danger endorses the effort to reduce Soviet warheads but takes strong exception to the START framework's emphasis on deployed missiles. Seeking a "deployed missile" limit without limiting Soviet missile production and the Soviet missile stockpile would be a major loophole in any treaty. As U.S. officials have revealed publicly on a number of occasions during the last decade, the Soviets have thousands of additional missiles and warheads in their inventory. Since many Soviet launchers can be quickly reloaded and refired, the Soviets would still have a major strategic advantage over the United States built into any such treaty. Further, there is no law of physics that requires missiles to be fired from deployed launchers. They can also be fired from factories or warehouses.

Soviet missile production, the stockpile of additional missiles and warheads, and the Soviet reload and refire capability are important factors in evaluating the strategic equation and should be covered by any agreement.

INF: Principles and Issues

On 30 November 1981, the INF negotiations began. The U.S. "zero option" proposal called for the elimination of an entire category of weapons by the removal and destruction of all Soviet intermediate-range ballistic missiles (approximately 600 SS-4, SS-5 and SS-20 IRBMs at the time) in exchange for the cancellation of NATO's planned deployment in Europe of 108 PERSHING II launchers and 464 GLCMs beginning in December 1983.

Acceptance by the Soviet Union of the zero option would have reduced the enormous Soviet advantage over the United States in combined intercontinental and intermediate-range land-based ballistic missiles by eliminating the class of intermediate-range weapons in which the Soviet Union then had a virtual monopoly. These missiles had become a notable feature of the nuclear equation starting with the deployment of SS-20s in 1977.²⁶ For the West, however, the complete elimination of PERSHING IIs and GLCMs was seen as decoupling, in view of the state of the nuclear balance, and the forces tending to reduce the credibility of a U.S. intercontinental nuclear response against the Soviet Union in the event of Soviet aggression against a U.S. ally or important interest outside the United States.

²⁶ It should be emphasized that intermediate-range nuclear weapons do not constitute a separate weapons category because intercontinental weapons can be fired on targets within intermediate range, and Soviet SS-20s can be converted into intercontinental weapons by adding an additional booster or decreasing the warhead payload. Moreover, the entire U.S. security system is based on the inescapable strategic premise that an attack on one or more members of the Alliance — to recall the language of the North Atlantic Treaty — "shall be considered an attack against them all." An equitable nuclear arms control agreement must take these facts into account.

The U.S. INF proposal was revised in March 1983.²⁷ The United States proposed an "interim solution" of equal ceilings anywhere from zero to 572 deployed warheads depending upon where the Soviets wished to set the level of intermediate-range ballistic missiles.

Throughout this phase of the negotiations, the United States insisted on four basic criteria for an INF agreement:

1. The negotiations should focus on reducing the number of Soviet land-based ballistic missiles;
2. The agreed levels must be manifestly equal between the United States and the Soviet Union;
3. The reductions must be carried out on a global basis; mobile SS-20s, if moved but not destroyed, could easily be redeployed against Japan, the Middle East or other Allied targets, or indeed redeployed to the European zone. The United States insisted that European security not be purchased at the expense of other allies' security.
4. The agreement must have tight provisions for verification.

Throughout these negotiations, the Soviets rejected all proposals for an outcome based on U.S.-Soviet equality, whatever the level, and insisted that the independent British and French nuclear forces be included in the U.S. totals. The Soviets shrouded this demand behind the phrase "equality and equal security." The effect of such a demand, if accepted by the United States, would be to grant the Soviets the right to maintain a

²⁷ In the summer of 1982, an informal discussion among the chief U.S. and Soviet INF negotiators led to a package suggested for consideration by both governments. The package would have limited both sides to 225 INF missile launchers and aircraft in Europe, and a subceiling of 75 missile launchers in Europe. In its original formulation, the United States would have been allowed only cruise missiles within this subceiling while the Soviet Union would have been allowed only ballistic missiles. Each ballistic missile launcher would have carried one missile with up to three warheads; each GLCM launcher would have carried up to four missiles, each with a single warhead. Soviet SS-20s in Asia would have been limited to 90. Although this "walk in the woods" package contained some elements of concern to the United States, the United States was willing to discuss this approach and sought to amend it in ways that would provide for U.S.-Soviet equality. The package was, however, rejected outright and in full detail by the Soviet Union.

nuclear arsenal equal to the combined nuclear forces of all other countries, with no comparable U.S. systems deployed. This Soviet position is a demand for political and military hegemony. The United States must continue to reject such a demand, however disguised. As a matter of practical fact, the British and French nuclear forces, and those of China, do not constitute an aggressive threat of any kind to the Soviet Union. They exist for other national purposes and would be capable at best of limited retaliation in the event of Soviet aggression.

On 26 September 1983, in a speech before the United Nations General Assembly, President Reagan outlined a three-point modification of the American stance:

1. In exchange for Soviet agreement to global reductions and equal limits, the United States would deploy fewer missiles in Europe than the total Soviet global INF deployment while reserving the right to deploy the difference elsewhere;

2. The United States would consider proposals for limiting intermediate-range aircraft as well as missiles;

3. In the context of reducing to equal levels, the United States would reduce the levels of both PERSHING IIs and GLCMs.

This formulation would have allowed the Soviets to maintain a clear advantage in deployed INF warheads worldwide. In spite of its obvious disadvantages for U.S. security, the Soviets continued to argue that they had an inherent right to maintain a monopoly on intermediate-range nuclear missiles and that the revised American INF position remained "the same mockery of common sense."

The Geneva Negotiations and the U.S. "Strategic Concept"

In January 1985, more than one year after the Soviet walk-out, the Soviet Union agreed to resume formal arms control negotiations with the United States in Geneva. In a

joint statement both sides declared that "the subject of the negotiations will be a complex of questions concerning space and nuclear arms — both strategic and intermediate-range — with all these questions considered and resolved in their interrelationship."

The United States negotiated the SALT agreements hoping to link limits on offensive and defensive forces. U.S. inaction on offensive forces and severe limits on its defensive forces, in contrast with the enormous expansion of Soviet offensive forces and the major Soviet strategic defensive effort during the SALT process, resulted in a failure to balance the offensive-defensive equation.

The current U.S. negotiating approach is based on a new "Strategic Concept" as follows:

During the next 10 years, the U.S. objective is a radical reduction in the power of existing and planned offensive nuclear arms, as well as the stabilization of the relationship between offensive and defensive nuclear arms, whether on earth or in space. We are even now looking forward to a period of transition to a more stable world, with greatly reduced levels of nuclear arms and an enhanced ability to deter war based upon an increasing contribution of non-nuclear defenses against offensive nuclear arms. This period of transition could lead to the eventual elimination of nuclear arms, both offensive and defensive. A world free of nuclear arms is an ultimate objective to which we, the Soviet Union, and all other nations can agree.²⁸

The U.S. objective remains that of seeking nuclear arms agreements based on the principle of U.S.-Soviet equality and the prevention of a Soviet first-strike capability. This goal would require a reduction in the Soviet Union's present lead in the most destabilizing category of weapons — Soviet intercontinental and intermediate-range land-based ballistic missiles. The Soviet Union, on the other hand, is seeking to preserve and enhance its present advantage in land-based ballistic missiles, and to

²⁸ This new "Strategic Concept" was first outlined publicly by then Deputy Secretary of State Kenneth Dam in New York on 14 January 1985. It was also explained by Ambassador Paul H. Nitze in a speech to the Philadelphia World Affairs Council on 20 February 1985. A more detailed discussion of U.S. policy can be found in U.S. Department of State, "The Strategic Defense Initiative," Special Report No. 129, June 1985.

constrain U.S. efforts to restore stability. If that goal is achieved, the Soviet leadership believes, it will be impossible for the Western allies to defend their interests with conventional forces, the U.S. alliance system will disintegrate, and the Soviets will achieve victory without war.

The Committee on the Present Danger believes that the U.S. objective is sound, and that there should be no compromise on it. The greatest and most immediate threat to world peace today comes from Soviet aggressiveness backed by the intimidating weight of the USSR's massive first-strike nuclear arsenal. If arms control is to enhance the security of the United States and its allies, the Soviet Union must not be permitted to maintain a first-strike nuclear capability.

The U.S. Strategic Defense Response

The principal Soviet and media focus on the current negotiations has been the issue of U.S. strategic defense. The Reagan Administration's potential response to the Soviet offensive threat, the "Strategic Defense Initiative" (SDI), cuts to the heart of the strategic balance and addresses the failure of arms control to arrest the Soviet build-up.²⁹ Soviet strategic defenses are massive and central to any objective assessment of the military balance.³⁰

Much confusion exists concerning the SDI and current negotiations. Some of this confusion can be traced to the Administration's failure to present its strategic policy clearly. There is no question that strategic defenses have important national security

²⁹ Popularized as "Star Wars," the program can more accurately be characterized as the "Strategic Defense Response" (SDR), since it is a belated response to decades of Soviet activity in the field, as well as the increasing Soviet offensive threat.

³⁰ See Can America Catch Up?: The U.S.-Soviet Military Balance, pp. 24-25.

and arms control implications for the near-term as well as the long-run. It is also clear that there are defensive technologies available for use in the near-term.

According to the Reagan Administration, however, the SDI is only a research program and a decision on whether to deploy strategic defenses is many years away.³¹ Between domestic politics and the pressures of arms control, the SDI has many obstacles to overcome. The SDI has, up to now, been conducted within the strict confines of the ABM Treaty, despite Soviet violations of that treaty.³² Thus, the United States considers the research program and the concept of strategic defense to be topics for discussion at Geneva but not issues for negotiation. The U.S. view is that research, development and testing are permissible under the ABM Treaty. In the current negotiations, the Soviets originally proposed to ban such research, an inherently unverifiable proposal. They have backed away from this position, however, by declaring "basic" or "fundamental" research permissible. Nevertheless, such a proposal could eventually accomplish the same thing as a ban on all research, for without a plan to deploy strategic defenses Congress is not likely to vote future substantial funds. The ABM Treaty and subsequent U.S. action demonstrate this phenomenon at work.

The Administration's request for SDI funding for five years amounts to less than two percent of the entire defense budget. In fact, most of the financial resources requested

³¹See Department of Defense, Report to the Congress on the Strategic Defense Initiative, June 1986, p. II-14. The original formulation of the U.S. "Strategic Concept," as espoused publicly, declared that the period of transition from offensive to defensive systems would not begin until "possibly ten years from now." (See speech of Deputy Secretary of State Kenneth Dam, 14 January 1985.)

³²In fact, where certain SDI activities have appeared to be inconsistent with a so-called "restrictive" interpretation of the ABM Treaty, the Administration has directed modifications to the program to insure U.S. compliance. For example, changes were made in the airborne optical adjunct test, the homing overlay experiment (HOE), the TALON GOLD experiment and the LODE laser test. (See statement of Assistant Secretary of Defense Richard Perle on CBS "Face The Nation," 29 September 1985. Also see Walter Andrews, "U.S. Curtailing its SDI Research Due to ABM Treaty, Officials Say," Washington Times, 8 October 1985, p. 2A, and Congressional Record, 17 October 1985, p. S13446.)

for the SDI program are for technology research programs which have existed independently of the SDI effort and which have merely been consolidated into the formal SDI research infrastructure. The requested net addition of resources to the SDI program, therefore, represents less than one percent of the overall defense budget, and this amount has already been cut by Congress.³³

The Committee on the Present Danger supports a vigorous and robust SDI research, development and testing program. This Committee believes it prudent, however, to deploy in the near-term a system to defend U.S. ICBM forces while accelerating the current SDI program. Because Soviet offensive forces and Soviet ballistic missile defense (BMD) programs, including violations of the ABM Treaty, are so threatening, the United States cannot run the risk of being defenseless.³⁴ Limiting the SDI program to a decade of research on advanced concepts will not strengthen deterrence in the foreseeable future. To strengthen deterrence, it will be necessary to deploy a defense system sooner than is now in prospect. As the advanced technologies become available, they can certainly be deployed. The United States should adopt a "building block" approach to strategic defense

³³ The Director of the Strategic Defense Initiative Organization, Lt. Gen. James A. Abrahamson, has testified that the size of the requested SDI commitment over the five-year period is "perhaps only on the order of \$10 billion over and above what might have been spent" in the absence of a formal SDI program. (See testimony of Lt. Gen. James A. Abrahamson before the House Subcommittee on the Department of Defense, Committee on Appropriations in Hearings: Department of Defense Appropriations for 1986, pt. 7, pp. 568-574.)

³⁴ For a chronicling of Soviet arms control violations, see Arms Control and Disarmament Agency, Soviet Noncompliance, February 1986. Also see the President's Reports to the Congress on Soviet Noncompliance with Arms Control Agreements, 1 February and 23 December 1985; the President's first report to Congress on Soviet violations in January 1984 and the Report of the President's General Advisory Committee on Arms Control and Disarmament, A Quarter Century of Soviet Compliance Practices Under Arms Control Commitments: 1958 - 1983, 10 October 1984.

which phases in advanced technologies. Such an approach is also applicable to a theater ballistic missile defense system. It is not prudent to hold U.S. or allied security hostage to the achievement of future technological or arms control breakthroughs.³⁵

A preferential defense of vital U.S. military assets, using current defensive technologies, would be stabilizing and enhance deterrence. Since the Soviet first-strike strategy relies on the execution of counterforce strikes, such a defense would increase the uncertainty of success in Soviet planners' minds, thereby reducing the likelihood of such an attack and the political significance of any threat to make such an attack.³⁶ And it would correspondingly reduce the political influence of the Soviet advantage in intercontinental and intermediate-range land-based missiles.

A recent re-evaluation of the ABM Treaty restrictions has called into question the applicability of certain ABM Treaty constraints to the SDI program. While the Administration has concluded that a "broad interpretation" of the ABM Treaty restrictions on testing and development of systems based upon "new physical concepts" is justifiable and legitimate, Administration policy calls for continuing the SDI program for the time being in conformity with a "restrictive interpretation" of the Treaty.³⁷

³⁵ At least two recent experiments using advanced strategic defense technology were notable successes. On 10 June 1984, a ballistic missile reentry vehicle was intercepted by an optically-guided Homing Overlay Experiment (HOE) vehicle, demonstrating the feasibility of optical homing technology for strategic defense. On 27 June 1986, a radar-guided Flexible Lightweight Agile Guided Experiment (FLAGE) vehicle intercepted a target missile in the atmosphere, demonstrating the feasibility of non-nuclear close-in or "terminal" defense.

³⁶ A preferential defense which protects some targets to a greater degree than others would further complicate Soviet attack plans, since an attacker would not know which specific targets were defended and to what degree. To "saturate" the system, therefore, would require a massive and highly disproportionate expenditure of attacking warheads against each target — hardly an attractive option. Given the added uncertainties such a preferential defense poses for an attacker, the claim that the Soviets could easily defeat the system with additional warheads should be viewed skeptically.

³⁷ This policy was reaffirmed by Secretary of State George Shultz in a 14 October 1985 speech to the 31st annual meeting of the North Atlantic Assembly held in San Francisco. The Administration's reassessment of the ABM Treaty in support of a "broad interpretation"

(Footnote Continued)

There is no legal justification for this position, and the United States must not foreclose the possibility of developing and testing systems important to U.S. security. The development and testing of defensive systems based on new technologies is entirely consistent with the ABM Treaty, which carefully provided that the implications of such developments should be discussed by the two countries before they were deployed to discover whether new agreements about such weapons or amendments to the ABM Treaty were desirable. It is hard to imagine how responsible negotiators could have intended anything else.³⁸ Providing legal justification for a broad interpretation, however, while unilaterally adhering to a restrictive interpretation creates a dangerous double-standard,

(Footnote Continued)

and its subsequent policy decision to abide by a "restrictive interpretation" were explained to Congress by Paul H. Nitze, Special Adviser on Arms Control Matters to the President and the Secretary of State, and Abraham D. Sofaer, Legal Adviser to the Department of State, in testimony before the Subcommittee on Arms Control, International Security and Science of the House Committee on Foreign Affairs, 22 October 1985.

³⁸ There has been a controversy on the applicability of the ABM Treaty to systems based on new technologies. The history of the controversy is reasonably clear. In the negotiations on the 1972 ABM Treaty, the United States sought to ban all ABM systems based on existing and future technologies, except for land-based systems specified in the Treaty. The Soviets adamantly refused to interpret Article V as applicable to future systems based on new technologies (and they are fully exploiting this policy now). As a result, "Agreed Statement D" was published which provided that "in the event ABM systems based on other physical principles...are created in the future, specific limitations on such systems and their components would be subject to discussion...." For years, however, some U.S. Government spokesmen treated the issue as if the then American view had prevailed and Agreed Statement D was a nullity. Judge Abraham D. Sofaer, Legal Adviser of the State Department, issued an opinion which gives proper weight to Agreed Statement D and the negotiating history of the Treaty. (See testimony of Abraham Sofaer, *ibid.*) This view of the Treaty is confirmed by John B. Rhinelander, General Counsel of the Arms Control and Disarmament Agency during the SALT I negotiations, who wrote, after summarizing the restraints imposed by the Treaty: "In addition, the treaty prohibits the deployment (but not the development or testing) of "future" ABM systems based on components capable of substituting for ABM missiles, launchers, or radars. By way of example, this would prohibit the use of lasers as a substitute for ABM missiles." ("An Overview of SALT I," American Journal of International Law, vol. 67, no. 5, (November 1973), p. 32.)

allowing the Soviets to push further along with their own strategic defense programs but foreclosing similar U.S. options.³⁹

The SDI objective seems to be restricted to a highly effective nationwide defense against all-out Soviet attack. This implies standards for evaluating the worthiness of ballistic missile defense (BMD) that may be unrealistically ambitious and preclusive of any BMD deployment. In addition, the Administration's criteria for deciding whether to deploy the SDI virtually preclude the deployment of a partially effective system. The criteria that must be met before a strategic defense system would be deployed are that the system itself must be survivable and "cost-effective at the margin" — i.e., defensive measures must be cheaper than offensive counter-measures. Deployment of strategic defenses during the transition period should also contribute to stability.⁴⁰

In the Committee on the Present Danger's view, these criteria should be reconsidered. While system survivability is a key consideration, the degree of requisite survivability is not specified, leaving SDI opponents free to criticize the system in general terms.⁴¹

³⁹The Soviet strategic defense effort is massive and comprehensive. The Soviets are already spending approximately 10 times as much as the United States on strategic defense. (See speech by Secretary of Defense Caspar Weinberger before the National Press Club in Washington, D.C., 9 October 1985.) For a detailed analysis of Soviet strategic defense programs, see Department of Defense and Department of State, Soviet Strategic Defense Programs, October 1985.

⁴⁰The Administration has also stated that a strategic defense system must be "militarily effective." This means that it "must be able to destroy a sufficient portion of an aggressor's attacking forces to deny him confidence that he can achieve his objectives" and that it "should have the potential to deny that aggressor the ability to destroy a militarily significant portion of the target base he wishes to attack." (Department of Defense, Report to the Congress on the Strategic Defense Initiative, June 1986, p. IV-3.) The Administration, however, has declared that "the level of defense system capability required to achieve these ends cannot be determined at this time...." (The President's Strategic Defense Initiative, January 1985, p. 5.)

⁴¹According to The President's Strategic Defense Initiative, "...the defensive system need not be invulnerable, but must be able to maintain a sufficient degree of effectiveness to fulfill its mission, even in the face of determined attacks against it." Given the uncertain physical characteristics of an eventual SDI and the unspecified nature

(Footnote Continued)

The criterion of cost-effectiveness at the margin compares the costs of U.S. defense with the costs of a saturating Soviet offense, because cheaper Soviet costs might enable the Soviets to overpower the system. Yet it is also necessary to compare U.S. SDI defense and the cost to the United States of deploying additional offensive capabilities to offset Soviet present and projected offensive forces, because to some extent there is a trade-off in allocation of U.S. resources. In any event, considerations of cost effectiveness have never prevented the Soviets from outspending the United States militarily. Even though the Soviets are drawing upon a smaller economic and technological base than that of the United States, they have amassed a much larger nuclear arsenal than the United States.⁴²

The requirement for stability during the transition from strategic offense to strategic defense, as enunciated by the Administration, implies for some that the Soviet Union must not feel "threatened." This could effectively give the Soviets a veto power over U.S. action, since the Soviets contend they are threatened by any U.S. program. As the Soviets say that they will respond to any U.S. defensive deployments, Congressional opponents of SDI are focusing their attention on the U.S. response to the Soviet build-up and not the Soviet build-up itself or the Soviet strategic defense program. Even though the Administration denies that the Soviets will have veto power over U.S. SDI deployments, Soviet cooperation during the transition phase is clearly hoped for if stability is to be preserved.⁴³

Despite a number of unresolved policy issues, SDI remains a worthwhile goal.

(Footnote Continued)

of the threats such a system would likely face, it is impossible at present to determine what constitutes "a sufficient degree of effectiveness." It is, however, possible for SDI critics to attack the system by postulating threats which would render SDI, as they conceive it, ineffective.

⁴²See Appendix. (Comparative data taken from Can America Catch Up?: The U.S.-Soviet Military Balance.)

⁴³See Department of State, "The Strategic Defense Initiative," Special Report No. 129, June 1985.

The Soviet View

Many experienced observers are convinced that the Soviets returned to the Geneva negotiations principally to halt the U.S. SDI program. The Soviets are unlikely to negotiate agreements on strategic offensive reductions without first halting the SDI, and, in view of Soviet recalcitrance during the START negotiations, it is unlikely that they would agree to equitable, verifiable reductions in strategic offensive arms even if SDI were traded away.⁴⁴

The Soviets have skillfully played upon the desire of the West for arms control progress by making "new" proposals. For example, the Soviets have publicly suggested, first, a halt to the development of additional strategic arms, then, cutting strategic arms by up to 50 percent (conditioned on a halt in SDI development and acceptance of the Soviet definition of the arms to be cut), and more recently, the elimination of strategic arms by the year 2000.

The Soviet position at the bargaining table appears to have hardened in certain key respects since returning from their 1983 walk-out. In START, for example, the Soviets were willing to discuss numerical limits on ALCMs; now they are insisting that ALCMs be banned. In the INF negotiations, Soviet demands for limits on U.S. theater aircraft are far more stringent than they were in 1983, as they now include U.S. nuclear-capable bombers in Europe and Asia.⁴⁵

⁴⁴The United States has had experience with this before: In 1972, the United States agreed to forgo defense of its threatened ICBM force in return for the promise of future Soviet offensive limitations. Instead, the Soviet build-up increased. It can be argued that the ABM Treaty's prohibition on effective ballistic missile defense actually encouraged the Soviets to place U.S. ballistic missile forces at risk and prevented the United States from coping with this growing threat.

⁴⁵These more stringent Soviet demands were outlined in speeches by Ambassador Paul H. Nitze to the National Press Club in Washington, D.C. on 1 May 1985, and to the American Defense Preparedness Association in Washington, D.C. on 24 October 1985.

The October 1985 Soviet Proposal

During his October 1985 trip to Paris, Soviet General Secretary Gorbachev unveiled the first of several "new" Soviet arms control proposals. The Soviet proposal, hailed by some as a positive step forward in the "arms control process," could more accurately be described as "one step forward, two steps back." In several important areas, the Soviets reverted to negotiating positions held over a decade ago — one-sided positions which they subsequently abandoned.

The Soviet proposal contained these features:

I. Space Weapons

1. A ban on the development (including "scientific" or "directed" research), testing and deployment of space-based defensive systems ("space strike arms").

2. The allowance of "basic research," which was left undefined.

II. Strategic Arms

(The proposed cuts in strategic offensive nuclear arms were made contingent upon a "cessation of work" on the Strategic Defense Initiative.)

1. A 50 percent cut in "nuclear armaments (strategic delivery systems) capable of reaching the territory of the other side." This would include ICBM and SLEM launchers and heavy bombers on both sides. It would also include U.S. GLCMs, PERSHING IIs, bombers and tactical land- and sea-based aircraft in Europe and Asia, but would exclude Soviet SS-20s and about 2,000 Soviet aircraft, including BACKFIRE bombers, that can be positioned to strike the United States.

2. A ceiling of 6,000 "nuclear charges" carried on strategic delivery systems after the initial 50 percent reductions.

3. A 60 percent sublimit on the deployment of nuclear weapons on any one component of the TRIAD.

4. A ban on all long-range cruise missiles, including U.S. ground-, sea- and air-launched cruise missiles (GLCMs, SLCMs, ALCMs). Shorter-range cruise missiles would be permitted.

5. A ban or severe modernization limits on "new" weapons, including the MIDGETMAN ICBM, the D-5 SLBM and the Advanced Technology Bomber.

6. No sublimits on Soviet heavy ICBMs.

7. A moratorium on nuclear weapons tests.

III. Intermediate Range Arms

1. A ban on further deployments and modernization of "medium-range" nuclear weapons in Europe. This included U.S. PERSHING IIs and GLCMs.

2. A ban on deployments of nuclear weapons to non-nuclear states.

3. Exclusion of the SS-20 from any direct cuts. The number of SS-20s on "standby alert" in Europe was said to be reduced to 243, still greater than the missile and warhead totals of British and French nuclear forces of all types — land-based, sea-based and airborne. The "stationary installations" for housing these SS-20s were supposed to have been "dismantled" by the end of 1985. There is no evidence, however, that any SS-20s have been destroyed or dismantled.

4. A "freeze" on SS-20 deployments in Asia, contingent upon U.S. acceptance of a "freeze" on further INF deployments in Europe.

5. A proposal to reach an INF agreement "without the direct link with the problem of space and strategic armaments."

6. A call for direct arms control negotiations between the Soviet Union and Britain and France.

The Effect of the Soviet Proposal on U.S. Security

Mr. Gorbachev's proposal of October 1985 was a transparent exercise in chicanery. It did not even conceal its inequities. The Soviet proposal would not eliminate the present Soviet first-strike capability; on the contrary, it would enlarge it. Once again, the Soviets put forth a proposal designed to preserve their own advantages in significant categories of weaponry, and allow them to be increased, while stopping U.S. efforts to offset those advantages.

The Soviets have proposed reductions in both sides' strategic arms of 50 percent. Equal reductions are necessarily a snare and a delusion unless each side starts from an equal level, and unless the categories used are the same. The Soviet proposal would leave the United States worse off than it is now — its nuclear deterrent would be less credible and the security of the United States and its allies thereby compromised. The only equitable basis for an arms control agreement is reductions to equal levels of capability in all relevant categories.

The 50 percent reduction in "strategic forces" would split the United States from NATO and make U.S. forces more vulnerable to Soviet attack. The basic Soviet strategic goal — that of separating the United States from its allies in Europe and Asia — is served by the Soviet definition of the word "strategic," which includes all weapons capable of reaching Soviet territory, regardless of where they are based. By counting U.S. nuclear and nuclear-capable systems in Europe as "strategic," not counting their own similar systems, the Soviets have clearly attempted to force a choice on the United States between defending its own territory and defending that of its European and Asian allies. In order to maintain the current size of the U.S. strategic deterrent, U.S. nuclear forces in Europe would need to be scaled back drastically — by some estimates as much as 60 percent. Similarly, maintaining U.S. nuclear forces in Europe at their current levels would necessitate cuts in U.S. strategic nuclear forces to a level less than half that

permitted the Soviet Union.⁴⁶ Such a choice is unacceptable to the United States. The Soviets have traded off their definition of "strategic" during past negotiations in exchange for U.S. concessions. They are now attempting to "sell the same horse twice."⁴⁷

At the same time, the Soviets have sought to subject U.S. INF forces to both "strategic" and "medium-range" limitations. The proposed Soviet limitations on INF deployments include PERSHING IIs and GLCMs, and are designed to sidetrack NATO's INF modernization plan and the Netherlands' deployment of U.S. cruise missiles.

The first-strike capability of Soviet forces would be enhanced after the Soviet-proposed reductions, since the Soviets would have up to 3,600 deployed ICBM warheads left to target between 300 and 500 U.S. ICBM silos. Such a warhead-to-target ratio would be an increase — perhaps by 60 percent — over the current 6 to 1 Soviet advantage.⁴⁸

The Soviet proposal would also prevent the United States from restoring the military balance. The U.S. ALCM and SLCM deployment programs would be halted. Furthermore, the Soviets are seeking to halt on all "new" U.S. systems such as the MIDGETMAN ICBM, the TRIDENT II (D-5) SLEM and the Advanced Technology (Stealth) Bomber. Soviet systems such as the new SS-X-24 and SS-25 ICBMs, the SS-NX-23 SLEM and the BLACKJACK bomber have already been flight-tested and would be exempt from any ban. (The SS-25 is already being deployed.) Such a proposal is inequitable and would guarantee the Soviets significant advantages in major categories of weapons and weapons capabilities.

⁴⁶ See speeches by Paul H. Nitze to the American Defense Preparedness Association, 24 October 1985, and to the Foreign Service Institute, 13 March 1986.

⁴⁷ The Soviets, in the fifth round of negotiations, apparently backed away from this definition of "strategic" once again. (See page 48 and footnote 57.)

⁴⁸ The arithmetic involved was explained by a senior Administration official at a background briefing for the press on 8 October 1985. It was also explained by National Security Advisor Robert C. McFarlane on NBC Television, "Meet the Press," 6 October 1985.

(Footnote Continued)

The proposed ban on long-range cruise missiles would leave the Soviets with a distinct advantage in shorter-range cruise missile capabilities. Key Soviet targets are located further inland than U.S. targets, which are vulnerable to Soviet SLOMs launched from submarines stationed off U.S. coasts.

The recently-declared Soviet willingness to agree to "destruction" and "dismantling" procedures, coupled with on-site inspection and "other additional verification measures," is an attempt to make an inequitable offer more palatable to the West and to divert attention from the Soviets' expanding record of arms control violations. And the Soviet call for a halt to nuclear testing is an attempt to overturn the long-standing foundation of NATO policy — a policy which relies on an effective and credible nuclear arsenal to deter Soviet aggression.

Although the Soviets have made a superficially specific, if one-sided, proposal for the reduction of offensive weaponry, any reduction in strategic weapons has remained contingent upon a "cessation of work" on the U.S. Strategic Defense Initiative. This precondition prevents progress toward a sound strategic arms control agreement.

In May 1977, the Committee on the Present Danger stated, "There can no longer be any reason to doubt the firmness and one-sidedness of the Soviet Union's...negotiating position."⁴⁹ Soviet behavior in the Geneva negotiations demonstrates that this continues to be an accurate assessment of the Soviet negotiating approach.

(Footnote Continued)

(Also see Lou Cannon, "McFarlane Faults Soviet Arms Plan," Washington Post, 7 October 1985, p. A1, and Jeremiah O'Leary, "President Skeptical on Soviet Arms Offer," Washington Times, 9 October 1985, p. 2A.)

⁴⁹"Where We Stand On SALT," in Tyroler, ed., Alerting America, p. 20.

The November 1985 U.S. Proposal

In response to the Soviets' October counter-proposal, the United States offered a revised negotiating formula, accepting in principle the proposal for a 50 percent reduction in strategic delivery vehicles (excluding medium- and intermediate-range forces), but modifying it to provide for equal levels. Specifically, the U.S. proposal called for the following:

I. Strategic Arms

1. A ceiling of between 1,250 and 1,450 deployed ballistic missile launchers on each side.

2. A reduction in deployed ballistic missile warheads to 4,500.

3. A deployed ICBM warhead ceiling of 3,000.

4. No modernization of the Soviet SS-18 ICBM.

5. A ban on new "heavy" ICBMs.

6. A ban on mobile ICBMs, such as the Soviet SS-X-24 and SS-25 and the U.S. "MIDGETMAN" small ICBM.

7. A ballistic missile throwweight ceiling of 3 million kilograms — roughly one-half the current Soviet total.

8. A limit of 350 strategic bombers.

9. A ceiling of 1,500 on deployed ALCMs (contingent upon Soviet acceptance of the above warhead and throwweight limits).

II. Intermediate-Range Arms

1. A freeze on further INF deployments, to be followed by a reduction in Soviet systems within range of Europe to approximately 140 launchers — the comparable U.S. level at the time.

2. Deployed INF warheads capable of reaching targets in Europe to be set at between 420 and 450.

3. A reduction in the number of SS-20s deployed in Asia in proportion to European reductions.⁵⁰

Consequences of the U.S. Proposal

In many respects the revised U.S. proposal appears crafted to achieve a negotiating compromise by splitting the difference between the proposed ceilings in the original U.S. offer and the October 1985 Soviet offer. The strategic impact of the new U.S. proposal on national security, however, would be unsound and destabilizing.

The Administration's revised formula would fail in its primary objective. It would not eliminate the Soviet Union's first-strike capability, or even reduce it much. It would, however, severely diminish the capabilities of all three strategic force components of the U.S. TRIAD, leaving the United States with a greatly diminished deterrent capacity. The most severe cuts would be made in the most survivable element of U.S. strategic forces, and the one with the most warheads — the sea-based deterrent.

The Administration's proposed ceiling of 4,500 deployed ballistic missile warheads and sub-ceiling of no more than 3,000 deployed ICBM warheads is strategically unsound. A probable outcome of these limits would be the deployment by the United States of 2,000 ICBM warheads (a combination of 500 MINUTEMAN IIIs and 50 MX, for example), and just under 2,500 SLBM warheads.⁵¹ Such an outcome would diminish the number of deployed sea-based

⁵⁰ See speech by Paul H. Nitze to the Atlantic Council, 5 December 1985. Also see Leslie Gelb, "Arms Offer: Gap Narrows," New York Times, 1 November 1985, p. A15; Don Oberdorfer and George Wilson, "Offer to Ban Mobile Missile Draws Fire," Washington Post, 2 November 1985, p. A1+; Gerald Boyd, "Reagan Proposes U.S.-Soviet Accord on Mobile Missiles," New York Times, 2 November 1985, p. A1+; "The Arms Proposals: A Balance Sheet," New York Times, 13 November 1985, p. A10.

⁵¹ The continued deployment of 450 single-warhead MINUTEMAN II ICBMs would likely be sacrificed for a greater increase in the number of deployed MIRVed SLBMs.

ballistic missile warheads from the present level of nearly 6,000 to less than half this number. Barring any further reduction in the U.S. land-based force, the number of U.S. ballistic missile submarines (SSBNs) would decline by almost two-thirds — from the present level of 36 to 13.⁵² Adding an additional 1,000 ICBM warheads (for example, 1,000 MIDGETMAN ICBMs) would reduce U.S. SSBNs to 9. Given the fact that about half of the U.S. sea-based deterrent is in port at any given time (and therefore vulnerable to destruction) and the portion of the fleet at sea is widely dispersed, such a reduction would undermine the retaliatory capacity and credibility of the sea-based deterrent. It would therefore have a destabilizing effect.

Soviet forces could absorb similar cuts in deployed strategic ballistic missile systems — especially in ICBMs — with lesser impact as a result of the Soviet advantage in "cold-launch" techniques (which allow launchers to be re-used), the thousands of non-deployed ballistic missiles in the Soviet inventory and the lack of any U.S. ballistic missile defense. Against a greatly diminished U.S. target base, such a Soviet force would serve as an ominous reserve.

In addition, the Administration is proposing a ceiling on strategic bombers and ALCMs at 350 and 1,500, respectively. Current plans call for equipping U.S. strategic bombers with a complement of 20 ALCMs each. Unless the ALCM payload of each bomber is cut, the U.S. would be allowed no more than 75 ALCM-carrying bombers. To deploy ALCMs on the full allotment of 350 bombers allowed by the proposal would require an 80 percent reduction in the number of ALCMs deployed on each bomber (from 20 to 4). It would force the United States to choose between a larger number of ALCM-equipped bombers, each carrying a reduced ALCM payload, and a larger ALCM payload per bomber distributed on a smaller number of

⁵²Each TRIDENT SSBN has 24 SLBM launchers. Each TRIDENT SLBM carries an average of 8 warheads. Therefore, 13 TRIDENT SSBNs would carry a total of 2,496 warheads (24 x 8 x 13 = 2,496).

ALQM-carriers. The greater the number of ALQM-carriers, the greater the chances of surviving a Soviet first-strike. The greater the number of ALQMs deployed on each bomber, the greater the chances of penetrating Soviet air defenses.

From a small number, ALQM-carrying bombers may not survive a Soviet attack in sufficient quantity to pose a credible threat of retaliation. On the other hand, a larger number of ALQM-equipped bombers, each carrying fewer ALQMs, may increase the chances of some surviving a Soviet first-strike but not of surviving Soviet air defenses (unconstrained by START). The United States would be forced to choose between the dual strategic requirements of survivability and penetrability. Such a "choice" would destroy the efficacy of the U.S. strategic bomber force. Soviet bomber and ALQM forces would not be similarly affected, due to the lack of effective U.S. air defense.

In addition, the current plan to deploy advanced cruise missiles (ACMs) on U.S. bombers means that the current generation of ALQMs (deployment of which is now virtually complete) would be phased out of the inventory. The limit of 350 heavy bombers would also require the destruction of B-52s as B-1B bombers enter the active force.

The most distressing aspect of the Administration's latest proposal is the call for a ban on mobile ICBMs. The Committee on the Present Danger has long recognized the stabilizing aspect of strategic force mobility and favors the rapid development and deployment of small, mobile, single-warhead land-based missiles. Mobile ICBMs are less readily targetable for destruction, in contrast to large, vulnerable and destabilizing fixed silo ICBMs. They are therefore ideal retaliatory weapons; such weapons could well achieve both nuclear stalemate and the political perception that such a stalemate had been achieved.

The Administration, having sought support for deployment of MX in fixed silos by declaring its intent to pursue the development and deployment of a small mobile ICBM, now seeks to ban this course of action. The proposal to ban mobile ICBMs strikes at the heart of stability and gives the impression that the MIDGETMAN ICBM is unnecessary. In light of

SALT's failure to constrain the Soviet offensive threat to U.S. forces and the ABM Treaty's prohibition on the effective defense of those forces, the proposed ban is even more tragic. Foregoing the only remaining option for a survivable ICBM force would effectively remove the ICBM force as a viable part of the U.S. strategic deterrent. It now appears that the problem of U.S. ICBM vulnerability, which the President has said requires an urgent response, will not be remedied.

When viewed in strategic context, the current U.S. START proposal would prevent U.S. strategic forces from fulfilling their established deterrent missions. Accordingly, the U.S. proposal should be revised.

With respect to the INF proposal, the limit of 140 launchers on both sides erroneously equates the triple-warhead Soviet SS-20 with the single-warhead U.S. PERSHING II. Also, the proposed warhead ceilings falsely equate ballistic missile warheads (SS-20s) with cruise missile warheads (GLCMs). In reality, the U.S. GLCM, with its slower speed, lower warhead yield and shorter range, is a less formidable weapon than the Soviet SS-20, and should be counted differently.

In addition, deploying the maximum allowable number of INF warheads would put the United States over the 140 limit on launchers, unless the United States reduces the number of PERSHING II launchers already deployed. Without a reduction in the 108 PERSHING II missiles now deployed, the United States would be required to freeze GLCM deployments at the level of 128 warheads on 32 GLCM launchers in order to stay within the 140 launcher ceiling.⁵³

⁵³ Each GLCM launcher can fire four single-warhead GLCMs.

1986: The January Soviet Proposal and the February U.S. Response

In January 1986, Soviet General Secretary Gorbachev outlined a three-stage timetable for the elimination of nuclear weapons by the year 2000. In substance, the proposal differed little from the Soviets' October 1985 proposal, although some revisions were made. For example, the Soviets offered to eliminate SS-20s "in the European zone" in exchange for the elimination of U.S. PERSHING IIs and GLCMs. SS-20s in Asia, however, would not be limited. They also proposed that Britain and France freeze their nuclear arsenals, and that the United States not transfer strategic or medium-range missiles to "other countries." Medium-range and tactical nuclear weapons, including nuclear-capable aircraft, would be eliminated in later stages.

Some Western observers have interpreted the Soviet Union's apparent willingness to drop its insistence on compensation for British and French nuclear forces as a concession. By seeking a freeze on British and French nuclear forces, however, the Soviets are attempting to use bilateral negotiations in order directly to set the level of third-party nuclear forces not subject to the negotiations. The United States should not accept such a maneuver. Further, the proposed prohibition on the transfer of U.S. nuclear weapons to other countries would prevent Great Britain's purchase of TRIDENT II (D-5) SLBMs to modernize its independent nuclear deterrent.

The United States responded to this Soviet proposal in February by outlining a revised formula to eliminate INF missiles in three years:

In the first year, deployed U.S. and Soviet INF missiles in Europe would be limited to 140 on each side. This would necessitate a reduction in Soviet SS-20s by roughly half. Soviet SS-20 forces in Asia would also be reduced proportionately. U.S. INF systems reduced under this proposal would not be destroyed but would instead be returned to the United States as a counter to Soviet SS-20s in Asia.

In the second year, deployed INF missiles in Europe would be reduced to 70 on each side. The remaining Soviet SS-20s deployed in Asia would also be cut in half. The United States would begin destroying missiles returned to U.S. territory in excess of allowable Soviet Asian-based levels.

In the third year, all remaining INF missiles would be destroyed.

The United States is also seeking a ceiling on shorter-range nuclear forces either at the current Soviet level or at the level possessed by both sides as of 1 January 1982.⁵⁴

The U.S. proposal has again raised the specter of decoupling the security of U.S. allies from that of the United States. A complete elimination of INF systems would leave Europe, Japan and other U.S. allies facing Soviet superiority both in shorter-range and strategic nuclear systems, capable of striking Western European and Asian targets, as well as massive Soviet conventional superiority.⁵⁵ U.S. European allies are especially sensitive to the fact that eliminating U.S. INF weapons in Europe would heighten the importance and danger of the remaining imbalances.⁵⁶ Clearly, the United States will have accomplished little if, by removing its PERSHING II and cruise missiles from Europe, it

⁵⁴ See speech by Paul H. Nitze to the Foreign Service Institute, 13 March 1986. Just prior to the fifth round of Geneva negotiations, the United States proposed a ceiling on shorter-range nuclear forces at the 1 January 1986 Soviet level. Since the United States has no plans to match this level, the Soviets would retain a significant advantage in this category of weaponry. (See "New Offer Made On Arms Control," Washington Times, 7 May 1986, p. 6C.)

⁵⁵ The imbalance in deployed short-range ballistic missile (SRBM) launchers in Europe is especially pronounced and growing. The Soviets have deployed some 1,600 such launchers and produce 450 SRBMs annually. By comparison, NATO has less than 200 SRBM launchers deployed, and produces only about 50 SRBMs each year. (See Soviet Military Power 1986, pp. 69, 120, 121.)

⁵⁶ See, for example, William Drozdiak, "W. Europeans Uneasy About Losing Missiles," Washington Post, 17 February 1986, p. A1; John J. Fialka and Gary Putka, "Reagan Arms Move Unnerves U.S. Allies," Wall Street Journal, 20 February 1986, p. 29; and James M. Markham, "West Europe Cool to Removal of U.S. Medium-Range Missiles," New York Times, 25 February 1986, p. A3; Francois de Rose, "Beware the Loss of Fear," The Atlantic Community Quarterly, vol. 24, no. 1 (Spring 1986), pp. 3-6.)

increases the risk of conventional war. A sound INF agreement must provide for equal U.S.-Soviet nuclear capabilities, without decoupling allied security from the U.S. nuclear guarantee either in Europe or in Asia.

The Fifth Round

In the fifth round of negotiations, the Soviets modified some of their previous positions. General Secretary Gorbachev, in a 16 June 1986 speech to the Central Committee of the Soviet Communist Party, outlined some of these changes. The Soviets now propose ceilings of 1,600 on strategic launchers and 8,000 on strategic nuclear "charges" as an "interim option" on the way to a 50 percent reduction in "strategic" forces. The 60 percent sublimit on the deployment of nuclear weapons on any one component of the TRIAD would remain. The Soviets are now willing to exclude U.S. medium- and intermediate-range forces in Europe, including nuclear- and nuclear-capable aircraft based on land and at sea, from the limits on "strategic" systems.⁵⁷ They insist, however, that the level of these systems be frozen. In addition, the Soviets have dropped their demand for a ban on submarine-launched SLCMs, although they continue to insist that SLCMs based on surface ships be prohibited. Importantly, these proposals are still conditioned upon U.S. acceptance of restrictions on the SDI program.

On INF, the Soviets have submitted a draft treaty which incorporates elements of the Soviets' January 1986 proposal (elimination of U.S. and Soviet INF in Europe, a freeze on British and French forces, etc.) and which offers to freeze the level of Soviet SS-20s in

⁵⁷This has been hailed by some observers as a significant Soviet "concession." Such a characterization is patently inappropriate in light of past Soviet negotiating behavior. The Soviet tactic of advancing a one-sided definition of "strategic," only to "concede" the U.S. definition later in the negotiations was evident in both SALT I and SALT II. (See pages 38-39.)

Asia.⁵⁸ The Soviets continue, however, to include Western aircraft in the INF totals, while excluding comparable Soviet aircraft.

With respect to SDI, the Soviets are seeking to halt the program by linking the proposed reductions in their strategic offensive forces to U.S. agreement to strengthen the ABM Treaty, to agree on "nonwithdrawal... in the course of at least 15 years, and (to) limit the SDI-related research to the level of laboratory tests."⁵⁹ This approach to the ABM Treaty appears to be, as the Secretary of Defense has noted, "just another method of defining strategic defense out of existence."⁶⁰ It is also an attempt to overturn the U.S. right to withdraw from the ABM Treaty, codified in the language of Article XV.⁶¹

⁵⁸ See Michael R. Gordon, "Moscow Presents Pact to Eliminate Missiles in Europe," *New York Times*, 16 June 1986, p. A1+; Michael R. Gordon, "U.S. Arms Officials Finding Problems In Offer By Soviet," *New York Times*, 17 June 1986, p. A1+; Serge Schmemmann, "Gorbachev on Arms Offer," *New York Times*, 17 June 1986, p. A6.

⁵⁹ See Celestine Bohlen, "Gorbachev Says Summit Depends on U.S. Attitude," *Washington Post*, 17 June 1986, p. A1+; Don Oberdorfer and Walter Pincus, "Response to New Soviet Arms Offer Unlikely During Geneva Session," *Washington Post*, 18 June 1986, p. A30. Ironically, this latest Soviet proposal to allow laboratory research on SDI is being portrayed by some as a Soviet concession which moves the Soviet Union closer to the U.S. position. In reality, however, the Soviet position has not changed. The Soviet acceptance of laboratory research was confirmed in October 1985 by Marshal Akhromeyev, Chief of the Soviet General Staff, who stated that "to conduct studies and research in laboratory conditions is one thing, but to develop mock-ups, prototypes and to test samples of space weapons is entirely another thing." (See Leslie H. Gelb, "Gap in Arms Talks: Is It Narrowing?," *New York Times*, 18 October 1985, p. A14.)

⁶⁰ See Peter Grier, "Weinberger Skeptical About Latest Soviet Arms Control Offer," *Christian Science Monitor*, 18 June 1986, p. 3.

⁶¹ Article XV, paragraph 2 of the ABM Treaty states: "Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to the other Party six months prior to withdrawal from the Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests." Further, as the Chief of the U.S. SALT Delegation, Gerard Smith, informed the Soviets in May 1972: "If an agreement providing for more complete strategic offensive arms limitations were not achieved within five years, U.S. supreme interests could be jeopardized. Should that occur, it would constitute a basis for withdrawal from the ABM Treaty."

Unfortunately, the revised Soviet position on strategic defense represents more a change in tactics than in substance. The revised proposals on strategic and intermediate-range forces would still leave the Soviets with important advantages. On the surface, the new Soviet proposals may convey to some the impression of "progress" at Geneva, but they do not address fundamental differences.

The "Nuclear Freeze" and the "Build-Down"

The Reagan Administration's declared goal of achieving arms control agreements based on stability, equality and significant reductions -- agreements which would eliminate the Soviet first-strike capability -- remains unfulfilled. This has led arms control devotees to advance other proposals, such as the "nuclear freeze" and the "build-down." Sound arms control, however, cannot be achieved by catchy slogans or simplistic formulae. At best, negotiating a sound arms control agreement will take patience, firmness and time, if indeed the Soviet Union is willing to negotiate such an agreement at all.

A nuclear freeze would destroy the Administration's essential strategic modernization program. It would codify the growing imbalance between the two sides' arsenals and would leave the Soviets with little incentive to negotiate reductions to equal levels. Its political effect would be further to erode the credibility of the U.S. deterrent.

The implications of nuclear superiority for the United States or the Soviet Union are profoundly different in political, strategic and moral terms; this is commonly ignored by advocates of a nuclear freeze. The United States had unquestioned nuclear superiority between 1945 and the late 1960s. The United States never attempted to use that position for offensive purposes, but instead sought repeatedly to reach a relationship of cooperation with the Soviet Union. It would be naive to expect that the Soviet Union -- currently in the superior strategic position -- would not seek to undermine U.S. security

by exploiting its advantage. Indeed, it is already attempting to do so throughout the world.

The concept of a nuclear "build-down" is also seriously flawed. While numerous versions of the build-down have been proposed (e.g., "double build-down," "two-for-one build-down," etc.), integral to all versions is an overriding emphasis on equal numerical reductions on both sides. While such build-down proposals would reduce the levels of nuclear weapons on both sides, its focus on quantitative reductions would necessarily leave the United States with a more vulnerable and less credible nuclear deterrent, for reasons explained above.⁶² The focus of U.S. arms control policy should be the elimination of first-strike potential and the achievement of nuclear parity, not merely quantitative reductions. The U.S. nuclear arsenal contains 8,000 fewer weapons of all categories than it had in 1967. The destructive capacity of the U.S. arsenal has also been reduced to about one-third of its peak level in the 1960s.⁶³ The United States has been engaged in a unilateral "build-down" for many years. The Soviets, on the other hand, have dramatically increased both the size and the destructiveness of their nuclear stockpile since the 1960s. The magnitude of their weapons investment has allowed to Soviets to field a far more modern force of strategic and intermediate-range systems than the United States.⁶⁴

⁶²See discussion on page 38 and footnote 22.

⁶³Ironically, these reductions have occurred partly as a result of continued U.S. nuclear testing. Periodic nuclear testing has allowed the United States to develop and deploy safer, smaller and more accurate nuclear weapons.

⁶⁴See the Appendix for comparative data on U.S. and Soviet stockpile sizes, levels of destructiveness and related system ages. (Data taken from Can America Catch Up?: The U.S.-Soviet Military Balance, pp. 24, 29, 30 (footnote), 31.)

Of key importance is whether build-down reductions would lead to greater stability or greater instability. In today's circumstances, the Committee on the Present Danger believes a build-down would necessarily cause greater instability.

Strategic Stability and Crisis Stability

Arms control considerations can drive, and have driven, strategic force developments away from stability.⁶⁵ The overriding emphasis in the U.S. position on reducing the number of deployed nuclear warheads on both sides to equal limits is misplaced, if all warheads are treated alike. An equal warhead limit is not in itself a sufficient standard for a stabilizing nuclear arms control agreement. The destructive capabilities of each class of weapons should also be evaluated. Only numerical reductions that enhance strategic stability and crisis stability should be sought at Geneva.

Even assuming acceptance by the Soviet Union of reduced numerical ceilings, U.S. strategic nuclear forces might still suffer from increased vulnerability to Soviet attack if more-survivable forces (such as SSBNs, SLBMs or mobile ICBMs) are reduced to a greater extent than less-survivable ones (such as fixed, undefended ICBMs). Such a situation would foster greater instability. This points out the dangers of reductions if they are not carefully designed. Unless doctrinal, strategic and force posture issues are taken into account, the United States could very well end up with a more vulnerable force — even though both sides reduce their weaponry to nominally equal levels.

Restoring strategic stability and crisis stability — that is, preserving a retaliatory capability but eliminating a first-strike capability — must be the paramount

⁶⁵For example, limits on launchers prevent the proliferation of targets and create an incentive for large missiles with heavier throwweight and a greater number of warheads. Restricting the mobility of missiles and prohibiting their effective defense increases their vulnerability to attack as warhead accuracy improves.

U.S. arms control objectives. In a sound agreement neither side could hope to gain by initiating a first-strike. The present incentive for the Soviet Union to strike first must be eliminated. Given the divergent arms control and foreign policy objectives of each side, the nature of Soviet nuclear doctrine and strategy, and the growing nuclear imbalance, the United States is more likely to restore stability through unilateral arms programs rather than through arms control.

The relevant consideration in evaluating U.S. strategic force capabilities and stability is not the number of U.S. missiles in comparison to the number of Soviet missiles, or U.S. warheads to Soviet warheads, but rather the number and capabilities of U.S. warheads surviving a first-strike to the number and capabilities of residual Soviet warheads and targets to be attacked. At issue is whether this dynamic is such that the Soviets are deterred from striking first or the United States is deterred from retaliating. Soviet targets are more numerous and more dispersed than U.S. targets. The Soviet target base has been extensively hardened against nuclear effects, concealed, dispersed and made less vulnerable to U.S. weapons. Such asymmetries are central in evaluating the state of the strategic balance.

From the U.S. perspective, strategic stability can best be preserved by proliferating the number of "aimpoints" that the Soviets must target with their warheads, making their location for targeting uncertain or defending them. Presently, the ratio of Soviet hard-target ICBM warheads to U.S. silos is greater than 6 to 1 (well above 6,000 Soviet ICBM warheads versus 1,017 U.S. silos).⁶⁶ Under the latest U.S. START proposal, both sides would be restricted to no more than 3,000 deployed ICBM warheads and no more than 4,500 deployed ICBM and SLEM warheads combined. With such ceilings the Soviet

⁶⁶ The ratio of deployed Soviet intermediate-range ballistic missile warheads to U.S. and allied INF ballistic missile aimpoints is even greater — more than 10 to 1 by some estimates (over 1,400 SS-4 and SS-20 warheads (excluding reloads) versus approximately 140 PERSHING II and GLCM launchers).

first-strike potential against U.S. silos might be reduced somewhat but it would not be eliminated. To remedy this problem, the United States could deploy a larger number of ICBMs with fewer MIRVed warheads — but such a deployment would run counter to both the U.S. START proposal and the provisions of the SALT agreements.

In addition, although current U.S. plans are to increase the number of ballistic missile submarines, under the U.S. START proposal the force could drop to approximately one-third of its present total of 36, if the effectiveness or relative size of the U.S. land-based deterrent is to remain static. Such a decrease in what is currently considered the most survivable element of the U.S. strategic TRIAD would undermine strategic and crisis stability. When the Soviet doctrinal emphasis on first-strike counterforce is taken into account, the risk to U.S. strategic forces under the proposed U.S. START regime is striking. The reported revision in the U.S. START position allowing an increase in the number of deployed ballistic missiles (from 850 to between 1,250 and 1,450) would not solve this problem. It is for this reason that the Committee on the Present Danger favors proposals that limit throwweight directly, along with the number of ballistic missile warheads.

The U.S. START proposal fails to distinguish between stabilizing, small, single-warhead missiles and destabilizing, large, multiple-warhead missiles. A numerical limit of 1,250 "deployed missiles" would preclude the deployment of an adequate number of small, single-warhead ICBMs; so would a limit of 1,450. A proper throwweight ceiling, however, would help assure that a reasonable number of small missiles are deployed, thereby enhancing stability. A throwweight ceiling creates an incentive for smaller and more numerous missiles.

The Administration's call for a ban on mobile ICBMs would halt a most-promising new U.S. program — the small ICBM. Because of the difficulty in targeting mobile ICBMs, such systems are relatively survivable and thus can help restore strategic stability and crisis stability. Prohibiting the deployment of mobile ICBMs would compromise this key U.S. goal

— a clear example of arms control serving to undermine stability rather than to enhance it.

Reducing the deployed land-based missile forces of both sides will not foster crisis stability if the reductions permit the Soviet Union to maintain many large warheads per missile, and allow an unrestricted number of non-deployed missiles. Reducing ballistic missile throwweight to equal levels, and controlling non-deployed missiles and warheads, therefore, are critical for enhancing crisis stability.

Some have asserted that Soviet strategic forces would suffer from increased vulnerability under a START regime which mandates cuts in Soviet large ICBMs — the bulk of Soviet nuclear firepower. Such an assertion is misleading. It ignores a basic tenet of U.S. strategic doctrine — to have a survivable strategic force capable of executing a second-strike after absorbing a Soviet first-strike. It also ignores the fact that the Soviets have thousands more strategic targets than the United States, many of them dispersed and well protected. Many Soviet ICBMs may also be unlocatable. Soviet silos are hardened to withstand greater blast pressure than U.S. silos and are thus less vulnerable to attack, especially from U.S. warheads of lower yield than their Soviet counterparts.

Soviet superiority in ICBM capabilities can be eliminated either through a combination of unilateral U.S. programs and arms control based on true equality, or through U.S. programs alone. Nothing short of a determined effort to restore the military balance, however, will enhance the prospects for reaching an arms control agreement based on equality.

The "Numbers Fallacy"

Proposed limitations on the number of deployed Soviet warheads alone would not solve the key strategic problem confronting the United States today — the imbalance in

strategic capabilities. The U.S. proposals must also address critical qualitative considerations.

Warheads are not all alike or equal in their capabilities. The effectiveness of nuclear warheads varies greatly. The bulk of Soviet warheads (deployed on ICBMs) are, on average, ten times more powerful than the bulk of U.S. warheads (deployed on SLEMs).⁶⁷ Soviet advancements in missile accuracy mean that equal numbers of warheads on both sides will still translate to superior Soviet hard-target and soft-target capabilities. The differences in yield and accuracy are significant, as are the different roles each weapon system plays in the respective nuclear strategies of both sides.

Equal warhead ceilings ignore significant differences between Soviet first-strike ICBM warheads and U.S. second-strike SLEM warheads. The Reagan Administration's START proposal does not take these differences into account. In addition, the Administration's willingness to negotiate reductions in deployed Soviet missiles in exchange for reductions in an alleged U.S. bomber advantage is imprudent. The United States has no bomber advantage when BACKFIRE is included in the Soviet force and Soviet air defenses are taken into account. Moreover, U.S. bombers are inherently second-strike weapons due to their slow time-of-flight, as opposed to Soviet ballistic missiles which pose a first-strike threat. This important distinction is ignored by Soviet proposals, which count all components of strategic forces as having equivalent value.

The current vulnerability of the U.S. ICBM force is not merely the result of a numerical imbalance in missile launchers or the ratio of attacking warheads to targets. It has also resulted from dangerous asymmetries in ICBM throwweight and megatonnage. This situation has been worsened by the ABM Treaty, which prohibits an effective strategic

⁶⁷ The yield of the MINUTEMAN III Mk 12A warhead is reported to be approximately 335 kilotons. This contrasts with Soviet SS-17, SS-18 and SS-19 warhead yields of between 500 kilotons and 1 megaton. The yields of Soviet SLEM warheads (200 kilotons to 1 megaton) are also larger than their U.S. counterparts (40 to 100 kilotons).

defense against ballistic missile attack, and the failure of the United States to take any other measures to preserve the survivability of its ICBM force. A START regime would reduce somewhat, though not totally eliminate, that vulnerability. There is, however, a danger of increasing vulnerability by precluding the deployment of a more survivably-based ICBM force or by restricting deployment of a future small, single-warhead ICBM to levels that are lower than what is militarily prudent.

The Importance of Soviet Treaty Compliance

Soviet treaty compliance is critical to the arms control process. When two parties enter into an arms control agreement, it is essential that each live up to the terms of the agreement.⁶⁸ Compliance also shapes the conditions for subsequent relationships.

The Reagan Administration has acknowledged that "any agreement is only as good as the willingness of the signatories to comply with the obligations assumed."⁶⁹ Soviet violations of existing arms control agreements threaten U.S. national security because Soviet actions prohibited or restricted by such agreements are, in fact, going forward. This makes negotiating future arms control agreements more difficult for two reasons. First, Soviet violations could continue to shift the military balance further in favor of the Soviet Union. Second, the political impact of Soviet violations seriously erodes U.S. confidence that any future agreements will be observed by the Soviet Union. Such erosion undermines the arms control process by raising questions that may be "far more significant than the short-term military impact" of any specific violation. Failing to restore Soviet

⁶⁸Of course, the terms of any agreement and their impact on U.S. security are paramount considerations. Bad agreements, even if faithfully complied with, will not serve U.S. security interests.

⁶⁹See, for example, Joint Chiefs of Staff, U.S. Military Posture, FY 1987, 1986, p. 77.

compliance also leads to a dangerous double-standard and confirms to the Soviets the value of cheating.⁷⁰

Soviet violations also undercut U.S. and allied efforts to develop greater stability in the U.S.-Soviet political relationship. Repeated and sustained violations, particularly when viewed in light of the massive Soviet military build-up, demonstrate the nature of Soviet strategic goals and motives. As the late Senator Henry Jackson noted in 1975: "Confidence in the process of arms control cannot survive in an atmosphere in which agreements previously entered into are subject to multiple instances of ambiguous behavior even as new agreements are being negotiated."⁷¹

Soviet Violations of Arms Control Agreements

Since January 1984, President Reagan has forwarded to Congress four separate reports detailing repeated instances of Soviet arms control violations. According to the President:

...the USSR has violated the Helsinki Final Act, the Geneva Protocol on Chemical Weapons, the Biological and Toxin Weapons Convention, and two provisions of SALT II: telemetry encryption and ICBM modernization. The United States Government also reaffirms its previous conclusions that the USSR has probably violated the SS-16 deployment prohibition of SALT II and is likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty. In addition, the United States Government has determined that the USSR has violated the ABM Treaty (through the siting, orientation and capability of the Krasnoyarsk radar), violated the Limited Test Ban Treaty, and violated the SALT II provision prohibiting more than one new type of

⁷⁰ Testimony of Richard N. Perle, Assistant Secretary of Defense for International Security Policy, before the Senate Armed Services Committee, 20 February 1985.

⁷¹ Hearing before the Subcommittee on Arms Control, Senate Armed Services Committee, Soviet Compliance With Certain Provisions of the 1972 SALT I Agreements, 6 March 1975, p. 1.

ICBM, and probably violated ⁷²the ABM Treaty restriction on concurrent testing of SAM and ABM components....

In his December 1985 report to Congress, the President confirmed additional Soviet violations of SALT I and SALT II, such as the "use of former SS-7 ICBM facilities in support of the deployment and operation of the SS-25 mobile ICBMs," the "concealment of the association between a missile and its launcher during testing" and strategic launcher deployments in excess of allowable levels.⁷³

Proponents of SALT II asserted that it would prevent the Soviets from placing more than 10 warheads on their SS-18 ICBMs. Recent reports indicate, however, that there are more than 10 warheads deployed on the SS-18.⁷⁴

It was also asserted that SALT II would prevent the Soviets from developing more than one new-type ICBM. The Soviets, however, now have at least two new type ICBMs in development — the SS-X-24 and SS-25. The SS-25 is now being deployed and the SS-X-24 is expected to be deployed in the near future.⁷⁵

⁷²See The President's Unclassified Report to the Congress on Soviet Noncompliance with Arms Control Agreements, 1 February 1985.

⁷³The President's Unclassified Report on Soviet Noncompliance With Arms Control Agreements, 23 December 1985.

⁷⁴See, for example, Walter Andrews, "Weinberger: Soviets Still Violate Arms Treaties," Washington Times, 20 September 1985, p. 3A; Bill Gertz, "New Report Credits Soviets With Leap in Warhead Count," Washington Times, 13 June 1985, p. 7A.

⁷⁵According to the CIA, the Soviets are developing a third new-type ICBM as a silo-based replacement for the SS-18. Recent reports indicate a fourth new-type ICBM is also in development. (See testimony of Robert M. Gates, Chairman, National Intelligence Council, and Deputy Director for Intelligence, Central Intelligence Agency, and Lawrence K. Gershwin, National Intelligence Officer for Strategic Programs, National Intelligence Council, before a joint session of the Subcommittee on Strategic and Theater Nuclear Forces of the Senate Armed Services Committee and the Defense Subcommittee of the Senate Committee on Appropriations, 26 June 1985; Also see Walter Pincus, "Soviets Push New ICBM Tests," Washington Post, 21 December 1985, p. A1+; Bill Gertz, "Soviet Test of SS-18 May Violate SALT II," Washington Times, 14 April 1986, p. 4A; Michael Gordon, "U.S. Reports Failure In Recent Soviet Test of Big New Missile," New York Times, 15 April 1986, p. A1+.)

SALT II, according to Treaty proponents, was supposed to prevent the deployment of the Soviet mobile SS-16 ICBM. Cumulative evidence, however, indicates that these missiles were deployed.

SALT II was also supposed to preclude the deliberate denial of data pertinent to U.S. verification of Soviet compliance. Today, the Soviets are continuing their practice of concealment by encrypting nearly all missile test telemetry, impeding U.S. verification.

Those who argue that Soviet violations such as these are not militarily significant fail to consider why the Soviets commit them. Is it logical to assume that the Soviets would engage in deliberate violations for no military gain?⁷⁶ Further, if large-scale and continuing violations of a treaty are deemed insignificant, then the treaty itself must be looked upon as insignificant.

Soviet SALT II violations — and Soviet violations of other arms control agreements such as the Biological Weapons Convention, the Geneva Protocol on Chemical Weapons, the SALT I Interim Agreement on Strategic Offensive Forces and the ABM Treaty — are militarily significant.

Violations of the ABM Treaty threaten to degrade further the U.S. retaliatory capability. The Soviets, by testing air defense radars and missiles for ABM purposes, and by building a large phased-array radar in central Siberia (Krasnoyarsk), are seeking to expand their ABM capabilities. President Reagan has informed Congress that the Soviet

⁷⁶ According to the President's General Advisory Committee on Arms Control and Disarmament (GAC), the answer is no: The Soviet Union has sought "military advantage through selective disregard for its international arms control duties and commitments." Moreover, the GAC report on Soviet compliance practices concludes that the Soviets have signed arms control treaties with the intention of violating them, and that "deliberate Soviet efforts to counter U.S. national technical means of verification strongly indicate a Soviet intention to persevere in circumventing and violating agreements." (See Report of the President's General Advisory Committee on Arms Control and Disarmament, *A Quarter Century of Soviet Compliance Practices Under Arms Control Commitments: 1958-1983*, 10 October 1984; Also see Walter Andrews, "Soviets Violated Arms Accords 17 Times," *Washington Times*, 10 July 1984, p. 1A+.)

Union's ABM and ABM-related actions "suggest that the USSR may be preparing an ABM defense of its national territory."⁷⁷

The Soviet production, transfer and use in Southeast Asia, Afghanistan and the Middle East of chemical and biological warfare agents in violation of the 1925 Geneva Protocol and the 1972 Biological Weapons Convention implies that the Soviets may be testing for the future, and perhaps more massive use of such agents by Soviet forces.

The SALT II violation of the one new-type ICBM rule and of provisions pertaining to the mobile SS-16 ICBM, as well as extensive telemetry encryption that impedes verification, are more than mere "technical" violations. They presage the development of substantially improved offensive ballistic missile capabilities, including a mobile, clandestine (and essentially invulnerable) ICBM which could serve as a major reserve force.⁷⁸

Of all the officially-documented Soviet SALT II violations, the violation of the agreement that prohibits deliberate concealment measures arguably has the most foreboding long-term implications because it impedes the U.S. ability to monitor other key aspects of Soviet force development. Because of this, the United States cannot expect to have great confidence in its estimates of Soviet deployments.⁷⁹ This lack of confidence will make it more difficult for the United States to plan for a prudent defense posture. The Committee on the Present Danger recalls and agrees with the words of former President Carter who

⁷⁷ The President's Unclassified Report to the Congress on Soviet Noncompliance with Arms Control Agreements, 23 December 1985.

⁷⁸ While the number of clearly identified SS-16 launchers was not great, the Soviets could have been expected to gain valuable experience in deploying, operating and maintaining a clandestine missile force. In addition, the throwweight of the SS-25 reportedly gives the Soviets the potential to deploy it with up to three multiple independently-targetable reentry vehicles (MIRVs). This would be a significant addition to the Soviet force.

⁷⁹ The common features of the SS-20, SS-16 and SS-25 missile systems already insure that the United States will have difficulty verifying these systems.

argued that "a violation of this agreement (prohibiting deliberate concealment) would be so serious as to give us grounds to cancel the (SALT II) Treaty itself."⁸⁰

The Administration has documented a pattern of Soviet arms control violations that has expanded as the Soviet build-up expanded since SALT I was signed in 1972. These violations pose a clear political and military challenge to the United States which must not be ignored.

The Impact of Unilateral U.S. Compliance on American Security and the Geneva Negotiations

On 31 May 1982, President Reagan declared that the United States would not "undercut" the expired SALT I Interim Agreement or the unratified SALT II agreement "so long as the Soviet Union shows equal restraint."⁸¹ On 10 June 1985, the President stated that "the United States has fully kept its part of the bargain. However, the Soviets have not." Nevertheless, the President declared his willingness to "go the extra mile," and to remain within SALT II limits by ordering the destruction of a POSEIDON submarine in order to make way for a new TRIDENT submarine. As he stated: "[t]he United States will continue to refrain from undercutting existing strategic arms agreements to the extent that the Soviet Union exercises comparable restraint and provided that the Soviet Union actively pursues arms reduction agreements in the currently ongoing nuclear and space talks in Geneva."

⁸⁰ Speech to the American Newspaper Publishers Association, New York, New York, 25 April 1979.

⁸¹ See the President's Memorial Day address, 31 May 1982. The SALT I "Interim Agreement" on Strategic Offensive Arms nominally expired in October 1977. SALT II (had it been ratified) would have expired in December 1985. The policy of "not undercutting" the provisions of the SALT I Interim Agreement and the SALT II agreement was announced in compliance with the customary practice that neither side change circumstances unduly pending negotiations. Whatever justification the policy may have had in 1982 has long since disappeared. The Soviet Union has not respected the provisions of the older agreements, and is putting class after class of new weapons into service. Our Committee fails to see any advantage to the United States in continuing this policy.

Further U.S. compliance decisions would be taken on a case-by-case basis, taking into account "the overall situation in light of Soviet actions correcting their noncompliance and promoting progress in Geneva...."⁸²

These conditions were reiterated on 27 May 1986 when the President ordered the destruction of two more POSEIDONS, keeping the United States in "technical" compliance with SALT II as the eighth TRIDENT began sea-trials. The President, however, indicated his intention later in 1986 to continue deploying cruise missiles on B-52 bombers "without dismantling additional U.S. systems as compensation under the terms of the SALT II Treaty," unless the Soviets take "constructive steps" to reverse their military build-up, cease their violations and promote progress in Geneva. Importantly, the President declared that "in the future, the United States must base decisions regarding its strategic force structure on the nature and magnitude of the threat posed by Soviet strategic forces, and not on standards contained in the SALT structure which has been undermined by Soviet non-compliance...."⁸³

This Committee believes that such a policy is the only approach compatible with the true security interests of the United States. National security is the benchmark by which arms control agreements should be weighed rather than the other way around. The United States should make a clean break with all arms control agreements that the Soviets have violated. Anything short of a clean break with arms control agreements that the Soviets have violated (such as the plan for "proportionate" responses) would legitimize both the agreements and Soviet violations of them, compromising U.S. national security.

⁸² See the President's Statement and Fact Sheet, "Building an Interim Framework for Mutual Restraint," 10 June 1985.

⁸³ The deployment of cruise missiles on more than 130 B-52 bombers would put the United States over the 1,320 SALT II ceiling on MIRVed launchers. See Presidential Statement on Interim Restraint, 27 May 1986.

The continued failure to make such a clean break compromises U.S. security and the U.S. negotiating position at Geneva because it:

1. Restricts the U.S. ability to restore a stable strategic balance, the bedrock of any sound arms control agreement. This is especially the case if the United States continues dismantling strategic weapons systems in order to comply with arms control limits that the Soviets are violating.

2. Undermines the credibility of the United States; The pursuit of sound arms control agreements cannot be advanced by sanctioning unsound ones, or by continuing to observe a double-standard on compliance.

Supporters of continued U.S. adherence to SALT II have returned to an argument which was popular in the late 1970s and early 1980s: that the Soviet Union is in a better position than the United States to "break out" of the treaty's limits with quick and massive strategic deployments. Yet the Soviets have already added thousands of additional warheads to their strategic forces under the terms of SALT II. (Moreover, the massive Soviet arsenal of non-deployed missiles and warheads need not be "deployed" in launchers to be launched.) This clearly testifies to the failure of SALT II to limit Soviet strategic momentum and highlights the U.S. failure to keep pace with the Soviet build-up. As this Committee concluded in 1979: "Under the provisions of the SALT II agreements, it is difficult, if not impossible, to see how we can reverse recent adverse trends."⁸⁴

It has been argued that failing to extend the period of U.S. SALT II compliance would allow the Soviets to violate those provisions that they have not yet breached, which are alleged to be more important to U.S. security. Yet this allegation hinges on the false assumption that other important limits exist and on the unjustifiable hope that the Soviet Union, having already demonstrated its willingness to violate its arms control

⁸⁴ Paul H. Nitze, "Considerations Bearing on the Merits of the SALT II Agreements As Signed at Vienna," in Tyroler, ed., Alerting America, p. 138.

commitments, will suddenly cease this practice — a dubious proposition that certainly should not be accepted by the United States in the absence of a solid record of scrupulous Soviet compliance.

How can extending U.S. adherence to an agreement deemed contrary to U.S. national security interests (SALT II) be in harmony with those interests in light of the extensive pattern of Soviet violations? And can the United States expect the Soviets to live up to existing and future agreements if it accepts a double-standard on compliance and acquiesces in Soviet violations?

Pressures to preserve all existing arms control agreements, and even extend them, have increased, especially since the November 1985 Reagan-Gorbachev summit and in anticipation of the next. Such pressures should be resisted. The Administration's response to Soviet violations will be seen by the Soviets as a true measure of U.S. political will, and the Soviets will draw conclusions from the U.S. response that go far beyond the parameters of arms control. For the United States to condition its continuing compliance with SALT II on arms control "progress" at Geneva, however, opens the door for the Soviets to influence U.S. policy by making timely "new" proposals with cosmetic appeal, but without relevance to fundamental differences. (The latest Soviet offers are illustrative.)

As this Committee stated seven years ago: "the... terms of SALT II, against a backdrop of the unfavorable trends in the U.S.-Soviet military balance, do not square with the security of the United States."⁸⁵ The SALT II agreement was not in the U.S. national security interest in 1979; nor is it today.

The Administration's historic reports on Soviet violations highlight the strategic and political importance of compliance to the arms control process. However, recognizing

⁸⁵ "Does the Official Case For the SALT II Treaty Hold Up Under Analysis?," in Tyroler, ed., Alerting America, p. 118.

that importance is only the first step in resolving the problems caused by Soviet violations. Complete public disclosure of Soviet violations, backed by timely programmatic responses to those violations, would have a major impact on restoring the integrity of the arms control process and safeguarding U.S. security. Under the best of conditions, a failure to respond actively to Soviet violations, especially if coupled with continued unilateral U.S. compliance, will put any equitable arms control agreements at Geneva beyond the U.S. reach.

The Administration's declaration that U.S. strategic force decisions will no longer be guided by a policy of "interim restraint" is welcome and long-overdue.⁸⁶ The need now is for timely action to implement the policy enunciated by the President on 27 May 1986.

U.S. Responses to Soviet Violations

It is ironic that those who repeatedly call for strong public involvement in, and support of, arms control now call for handling Soviet violations out of public view and behind the "closed doors" of the Standing Consultative Commission (SCC), a body established by SALT I in 1972 to handle a broad agenda of arms control matters. Despite more than a decade of persistent effort by the United States to resolve Soviet non-compliance issues in the SCC, the Commission has proven to be inadequate to the task.⁸⁷ Repeated Soviet stonewalling and an expanding pattern of non-compliance are solid

⁸⁶ Secretary of State Shultz, in an interview on NBC's "Meet the Press" on 1 June 1986, declared that the "interim restraint" policy "is over."

⁸⁷ As Paul Nitze testified in 1979, Soviet violations were "resolved" in the SCC "by accepting what had been done in violation." (See hearings before the Senate Foreign Relations Committee, The SALT II Treaty, 1979, pt. 1, p. 493.) More recently, the Secretary of Defense, in a memorandum for the President, reprinted in the Congressional Record, stated: "Contrary to the claims often made for it, the SCC has failed to resolve any significant compliance issue in the approximately 1,500 days that it has been in

(Footnote Continued)

proof of the failure of the SOC.⁸⁸ The Soviets have used the SOC mechanism to deny the American people the truth about Soviet arms control non-compliance. There must be a better recourse for handling Soviet violations.

There are several steps which can and should be taken to deal with the violations problem. First, the Administration must expand its effort to inform the American people and U.S. allies about the true nature and extent of Soviet non-compliance. To its credit, the Administration has spoken out about Soviet non-compliance. In doing so, it has been criticized by arms control advocates who have sought to shift the burden of proof by claiming that such public accusations of Soviet cheating (not Soviet cheating itself) hurt the prospects for reaching agreements with the Soviet Union. This line of argument has evoked the tired refrain that the Reagan Administration is "not serious about arms control."

By documenting and publicizing Soviet arms control violations, the Reagan Administration has, in fact, demonstrated that it is serious about serious arms control. And, as the Director of the Arms Control and Disarmament Agency has pointed out: "To be serious about arms control is to be serious about compliance."⁸⁹ Since effective and beneficial arms control cannot exist without mutual confidence of treaty compliance,

(Footnote Continued)

session over the last 13 years.... While, in theory, it could be used to dispel misunderstandings, misunderstanding is not the source of Soviet behavior; rather, Soviet behavior is motivated by a desire to gain advantage and the SOC is powerless to affect it." (Congressional Record, 13 March 1986, p. S2659.)

⁸⁸ According to one Administration official, Soviet behavior in the SOC has been "arrogant, illogical and often contemptuous.... In several cases, they dismissed the questions raised, and in others did not even bother to try and cover up, simply stating that what they were doing was no violation and that it would not be further discussed." (Reported in Aviation Week and Space Technology, 2 January 1984, p. 13.)

⁸⁹ See Arms Control and Disarmament Agency, Soviet Noncompliance, 1 February 1986, p. 1.

shushing the issue of violations makes a mockery of the arms control process by undermining the prospects for sound accords and encouraging further Soviet cheating.

The Congress must be kept fully informed on Soviet violations and their overall impact on U.S. security. The Administration must work with Congress to develop an effective short-term and long-term U.S. compliance policy based on bipartisan support.

The Administration, in taking the lead on formulating an effective compliance policy, must assess the military threat to U.S. security posed by Soviet violations and, with the support of Congress, respond with appropriate defense programs. Such responses could require increased defense funding to support the programs essential to offset the threats emanating from Soviet violations.⁹⁰

The Committee on the Present Danger believes that specific options exist for responding to Soviet violations. For example, the United States could deploy stockpiled MINUTEMAN III ICBMs to augment the U.S. ICBM force. Or it could accelerate research and development on a strategic defense against incoming Soviet ballistic missiles, while moving to deploy a terminal ballistic missile defense of U.S. ICBMs. Such a limited defense would be a way to strengthen the President's commitment of defending America, since a defense of MINUTEMAN would checkmate the Soviets' first-strike strategy and strengthen deterrence of such an attack.

In addition, the Administration must reassess its approach to arms control, paying greater attention to the possibility of Soviet non-compliance as agreements are formulated

⁹⁰ The Committee on the Present Danger is not swayed by the argument that the United States cannot afford to respond to Soviet violations, especially in a time of severe budget deficits. Given that a failure to respond will only encourage additional violations, thereby further weakening U.S. security, the United States can ill-afford not to respond. The programs necessary for national security must determine the level of defense funding, not vice-versa. (For this Committee's views on the budget deficit see "Defense and the Deficit," 8 March 1985; Also see the appendix to "Is the Reagan Defense Program Adequate?," ("The Economics of Defense") in Tyroler, ed., Alerting America, pp. 198-201.)

and negotiated. Safeguards or pre-planned responses to Soviet non-compliance should be identified and fully funded by Congress in order to deter, as well as provide a hedge against, Soviet violations. The United States must position itself to respond rapidly to Soviet violations, and the U.S. responses should cost the Soviets in military and political terms at least as much as what the Soviets expect to gain from any violation.

Possible U.S. Arms Control Treaty Safeguards
Mid- to Long-Term

ICBMs

1. Deploy stockpiled MINUTEMAN III ICBMs;
2. Accelerate development and deployment of a small ICBM;
3. Develop a MARV for the small ICBM;

BOMBERS

1. Extend the production of the B-1B beyond 100 aircraft;
2. Modify all bombers to carry cruise missiles;
3. Re-engine B-52s with modern engines;

SSENs & SLEMs

1. Increase the production rate of the TRIDENT submarine;
2. Accelerate the backfitting of the TRIDENT II (D-5) SLEM into the first 8 TRIDENT submarines;
3. Develop a maneuvering reentry vehicle (MARV) for the D-5 SLEM;
4. Retain POSEIDON submarines in U.S. active forces;
5. Develop a smaller strategic submarine;
6. Accelerate the deployment of sea-launched cruise missiles (SLOMs) on attack submarines;
7. Develop a stealth SLOM;

STRATEGIC DEFENSE

1. Accelerate the SDI program; change SDI from a research program to a true development program;
2. Initiate a hard-target, point defense program;

CHEMICAL/BIOLOGICAL

1. Expand the U.S. chemical/biological warfare (CBW) defensive program;
2. Accelerate the U.S. CBW agent detection program;

INTELLIGENCE

1. Increase satellite coverage of the Soviet Union by deploying more satellites of existing types;
2. Develop satellites for all-weather, day and night coverage;
3. Encrypt all U.S. missile test telemetry.

The challenge of responding effectively to Soviet non-compliance is a demanding one. The preparation of U.S. safeguards over time would counter illegal Soviet actions and serve as a deterrent to future Soviet violations.

In a cover letter accompanying his first report to Congress on Soviet violations, President Reagan stated that the United States would work toward "better treaty drafting" in future negotiations and more workable verification provisions in treaties. While more precise drafting and stronger verification procedures are necessary, and always to be encouraged, they are not always possible. Nor are they sufficient, even when achieved, to ensure Soviet compliance. Stronger verification procedures may serve only to illuminate other areas of previously undetected Soviet violations.

In a memorandum to President Carter in 1977, the late Senator Henry Jackson succinctly emphasized the importance of compliance:

It is essential to understand that even a perfect capability to verify compliance means little if we lack the means to redress the results of a violation; or if, as is often the case, the costs of taking corrective action are thought to be so high that we are deterred from doing so. In that event, our only recourse may be acquiescence, with all that implies for confidence in the agreement, our security interests, and our national resolve.⁹¹

Guidelines for Arms Control

The satisfactory resolution of outstanding Soviet non-compliance issues should be a key task of arms control negotiations. It would be imprudent to expect the Soviets to comply with new agreements if existing agreements are being violated.

Even assuming Soviet compliance, a new arms control agreement must fulfill criteria consistent with U.S. and Allied security interests and objectives. First and foremost, it must not prevent the United States from restoring a credible nuclear retaliatory

⁹¹Memorandum to the President, 15 February 1977.

deterrent. Without the restoration of U.S.-Soviet equality in nuclear deterrent capabilities, the United States will be unable to defend even its most fundamental security interests in world politics — the achievement and maintenance of a balance of world power — through the use of conventional forces and the marshalling of broad diplomatic coalitions based on a credible array of conventional forces as well as the U.S. nuclear deterrent.

To be effective, a sound arms control agreement must:

1. Provide for reductions to equal levels of capabilities, not equal reductions which leave a Soviet advantage or, indeed, increase an existing Soviet advantage;
2. Provide for sensible reductions that do not further destabilize the strategic situation;
3. Effectively limit the massive Soviet ICBM force by eliminating its first-strike potential;
4. Limit the inventory of all missiles, not simply those characterized as "deployed."
5. Include BACKFIRE in any limits on strategic offensive forces;
6. Take into account Soviet air defenses in any bomber limitations;
7. Take into account the Soviet ABM breakout potential;
8. Provide means necessary to verification; and
9. Identify and provide for effective safeguards in the event of Soviet non-compliance.

It is essential that critical aspects of nuclear capability be precisely defined and limited. Limitations on launchers have been rendered meaningless as a result of the Soviet rapid reload and refire program, and the potential for clandestine Soviet missile deployment. The Committee on the Present Danger believes the emphasis should be on warheads and destructive potential (e.g., throwweight) as the units of account.

In short, the evaluation of any arms control agreement should focus on whether a) the agreement contributes to mutual deterrence, enhances stability in a crisis, and reduces the risk of war; b) the situation resulting from the implementation of the agreement is manifestly equal; c) the agreement is verifiable; and d) the United States retains feasible options in light of potential Soviet non-compliance.

Conclusion

Since 1972 — the period of SALT I and II — the Soviets have failed to reciprocate U.S. strategic restraint. Instead, the Soviet Union has accelerated its massive build-up of intercontinental and intermediate-range nuclear weapons, and forged ahead with its strategic defense program. As a result, the United States finds itself in the position of having to rely on the uncertain development and deployment of future weapons systems in order to counter existing Soviet systems. The United States must make certain that the current negotiations do not result in an agreement that would in any way inhibit the capacity of the United States to restore the nuclear balance by unilateral means if the Soviet Union continues to reject all equitable agreements. The current negotiations also must not bring about the same paralysis of will or false sense of security that emanated from the SALT process.

The chances for successful completion of a sound arms control treaty are inversely proportional to the U.S. eagerness to attain such a treaty. Unless the United States demonstrates to the Soviet Union that it can live without an arms control treaty, it is unlikely to negotiate a sound agreement.⁹²

A new arms control treaty will not change the existing strategic reality. At best, it will merely reflect it. As the Committee on the Present Danger said in 1977: "It is

⁹² Lord Carrington, Secretary General of NATO, recently observed: "If the message is that we need some movement in disarmament negotiations, and that we need it quickly,...then such movement as there is will inevitably be movement in one direction. And we shall have only ourselves to blame if the resulting agreements turn out to be one sided, or unreliable, or both. That is the message above all that I would like to get across to public opinion. It ought not to be difficult, because most people have had experience of negotiation in their professional or in their private capacities; and they know for themselves that being seen to want something badly, and to want it in a hurry, is not the way to strike a satisfactory bargain. That is certainly no less true when it comes to negotiating with the Soviet Union." (Speech to the Assembly of the Atlantic Treaty Association, Oporto, Portugal, 19 September 1985.)

disappointing that arms control agreements cannot in themselves assure a nuclear standoff and permit a smaller U.S. effort. At best, such agreements can set some rules limiting the nature of the competition...."⁹³

Accepting an unsound agreement for the sake of agreement with the Soviets will not enhance U.S. national security. Furthermore, in view of the pervasive and expanding pattern of Soviet arms control violations, there remains the fundamental prerequisite of restoring Soviet compliance with existing agreements. Until the Soviets choose to honor the commitments already made, new agreements may only add further unilateral constraints upon the United States.

The Soviet Union's negotiating goal is clear: to impose crippling limits on U.S. nuclear forces and to destroy the deterrent credibility of the U.S. nuclear umbrella. This would achieve the Soviets' most important strategic objective, detaching the security of U.S. allies from that of the United States. For the United States and its allies to allow the Soviet Union to achieve this goal would be folly, and its consequences tragic.

⁹³"Where We Stand On SALT," in Tyroler, ed., Alerting America, p. 21.

APPENDIX

Information reproduced (and updated) from
 Can America Catch Up?: The U.S.-Soviet Military Balance

ICBMs

United States

Missiles	Launchers Deployed	First Year	Warheads	Missile Range (km)	Warhead Yield (kt)	Throwweight Per Missile (1000 lbs.)	Launch Mode
Titan II	17	1962	1	12,000	9,000	8.3	Hot
Minuteman II	450	1966	1	12,500	1-2,000	1.6	Hot
Minuteman III	550	1970	3 MIRVs	14,000	335	2.4	Hot
MX Peacekeeper	being deployed	(1986)	(10)	(11,000+)	(300-350)	(9.6)	(Cold)
Midgetman	in development	(1992)	(1)	(9-12,000)	(400-500)	(0.9-1.3)	—
TOTALS	1,017		2,117			2.2 m. lbs.	

Soviet Union

Missiles	Launchers Deployed	First Year	Warheads	Missile Range (km)	Warhead Yield (kt)	Throwweight Per Missile (1000 lbs.)	Launch Mode
SS-11 mod 1	28	1966	1	11,000	1,000	2.0	Hot
SS-11 mod 2	{ 420 }	{ 1973 }	1	13,000	{ 350-1,000 }	{ 2.5 }	{ Hot }
SS-11 mod 3	{ 420 }	{ 1973 }	3 MRVs*	10,600	{ 750-1,000 }	1.0	{ Hot }
SS-13 mod 2	60	1973	1	9,400	650†	2.0	Cold
SS-16	40-200†	1972	1	9,000	750-1,000	6.0-8.0	Cold
SS-17 mod 3	150	1979	4 MIRVs	10,000	500-1,000	16.7	Cold
SS-18 mod 4	308	1982	10-14 MIRVs	11,000	550†	8.0	Hot
SS-19 mod 3	360	1982	6 MIRVs	10,000	—	(9.6)	Cold
SS-X-24	in development	(1985)	(8-10)	10,000	—	(2.2)	Cold
SS-25	70+	1985	1-3 MIRVs	10,500	—	(10.0-12.0)	(Cold)
SS-X-26	in development	—	(10)	(11-12,000)	—		
(SS-X-27)							
TOTALS ‡	1,396		6,400-6,600 (approximate)			10.2-10.5 m. lbs.	

Numbers in parentheses are estimates for future systems.

*The 3MRVs on the SS-11 Mod 3 count as a single warhead on this chart.

†SS-16s were not counted in SALT and are not included in the totals.

Sources: Soviet Military Power 1986; The Military Balance 1985-86; Aviation Week and Space Technology; Defense Daily; FY 1987 JCS Posture Statement

SLBMs

United States

Missiles	Number Deployed	First Year	Warheads	Missile Range (km)	Warhead Yield (kt)	Throwweight Per Missile (1000 lbs.)
Poseidon C-3	288	1971	10 MIRVs	4,000	40	3.3
Trident C-4	360*	1980	8 MIRVs	7,400	100	2.9
Trident D-5	in development	(1989)	(8-14)	(8,000-9,000)	(300-500)	—
TOTALS	648		5,760			

Soviet Union

Missiles	Number Deployed	First Year	Warheads	Missile Range (km)	Warhead Yield (kt)	Throwweight Per Missile (1000 lbs.)
SS-N-5	39§	1964	1	1,400	1,000	1.5
SS-N-6 mod 1		1968	1	2,400	1,000	—
SS-N-6 mod 2	{ 304 }	1973	1	3,000	1,000	1.5
SS-N-6 mod 3		1974	2 MRVs#	3,000	200	1.5
SS-N-8 mod 1	{ 292 }	1972	1	7,800	1,000	8.0
SS-N-8 mod 2		—	1	9,100	800	2.5
SS-N-17	12	1977	1	3,900	1,000	5.0
SS-N-18 mod 1		—	3 MIRVs	6,500	200	—
SS-N-18 mod 2	{ 224 }	1978	1	8,000	450	—
SS-N-18 mod 3		—	7 MIRVs	6,500	200	—
SS-N-20	80	1981			—	—
SS-NX-23	32	1985	6-9 MIRVs	8,300	—	—
TOTALS	983+		2,000-3,000 (approximate)			

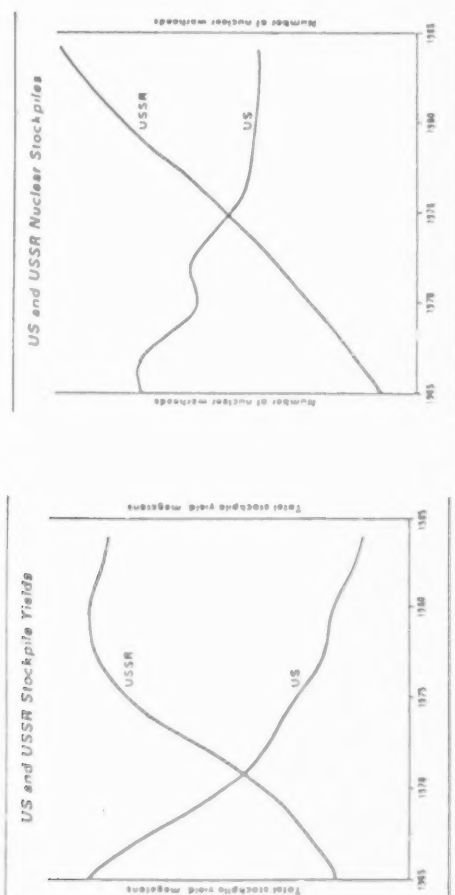
Numbers in parentheses are estimates for future systems.

*165 C-4 SLBMs are deployed on 7 Trident SSBNs. 192 C-4 SLBMs have been retrofitted into 12 Poseidon SSBNs.

§These missiles are excluded in SALT.

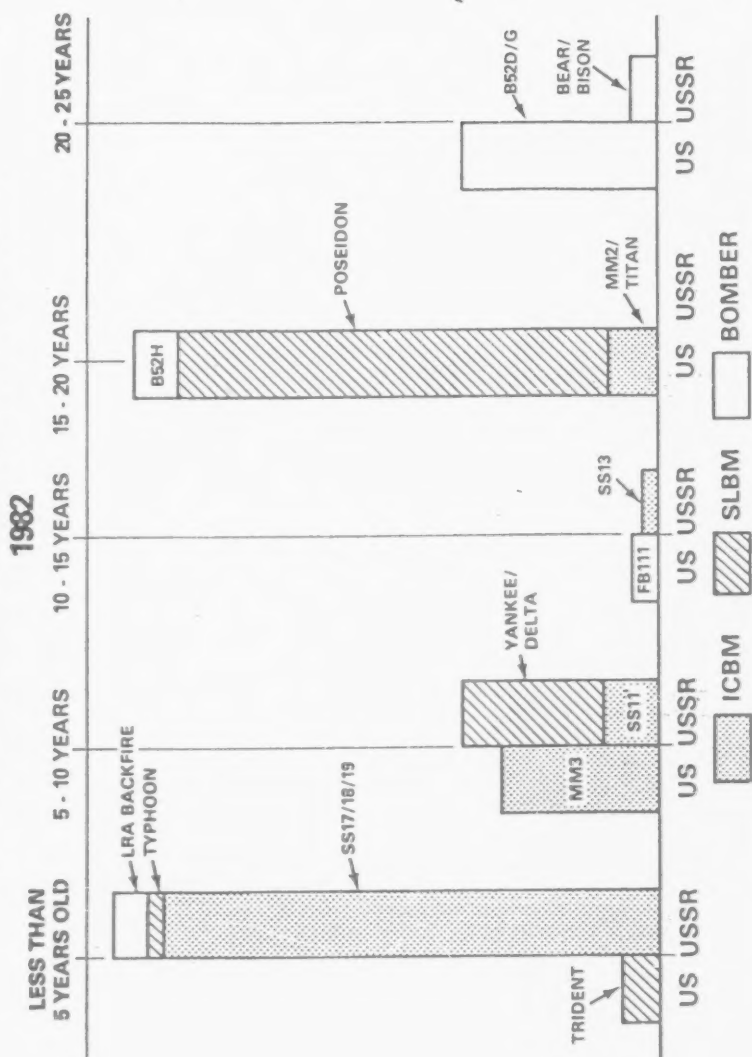
#The 2 MRVs on the SS-N-6 Mod 3 are counted as a single warhead on this chart.

Sources: Soviet Military Power 1986; The Military Balance 1985-86; FY 1987 JCS Posture Statement; DOD, Annual Report, FY 1985.



Source: Presentation of Secretary of Defense Weinberger to Senate Armed Services Committee in Hearings: Department of Defense Authorization for Appropriations for Fiscal Year 1985, 1984, pt. 1, p. 123.

INVENTORY WARHEADS BY AVERAGE AGE OF LAUNCHER



Source: Information in House Armed Services Committee, Hearings: Department of Defense Authorization of Appropriations for Fiscal Year 1984, pt. 2, p. 173.

Publications of the Committee:

1. "Common Sense and the Common Danger," Basic Policy Statement of the Committee and roster of founding Board of Directors, 11 November 1976.
2. "How the Committee on the Present Danger Will Operate—What It Will Do, and What It Will Not Do," 8 September 1976.
3. "The Nation's Editors Speak Up On 'The Present Danger,' With a Section on Soviet Reaction," February 1977.
4. "What Is The Soviet Union Up To?," 4 April 1977.
5. "What the Media Said About . . . 'What Is The Soviet Union Up To?'," August 1977.
6. "Where We Stand on SALT," 6 July 1977.
7. "Where We Stand . . . Summaries of Policy Statements 1976-1977," February 1978.
8. 1977-79 Series of Monographs and Illustrative Charts on "Current SALT II Negotiating Posture" by Paul H. Nitze, 1 November 1977; 20, 28 March 1978; 24 July 1978; 25 October 1978; 9, 20 November 1978; 14 December 1978; 15, 25 January 1979; 14 February 1979; 9 March 1979; 23 April 1979; 23 June 1979; 13, 28 September 1979; 1 October 1979; 8 November 1979.
9. "Peace with Freedom, A Discussion by the Committee on the Present Danger Before the Foreign Policy Association, 14 March 1978."
10. "Is America Becoming Number 2? Current Trends in the U.S.-Soviet Military Balance," 5 October 1978.
11. "The Second Year as Reflected in the Media," November 1978.
12. "Looking for Eggs in a Cuckoo Clock—Observations on SALT II," 22 January 1979.
13. "Does the Official Case for the Salt II Treaty Hold Up Under Analysis? An Evaluation of 'SALT and American Security'," 14 March 1979.
14. "Public Attitudes on Salt II, The Results of a Nationwide Scientific Poll of American Opinion," 15 March 1979.
15. "Is SALT II a Fair Deal for the United States?," 16 May 1979.
16. "Why the Soviet Union Wants SALT II," 17 September 1979.
17. "The Third Year as Reflected in the Media," November 1979.
18. "The 1980 Crisis and What We Should Do About It," 22 January 1980.
19. "Countering the Soviet Threat, U.S. Defense Strategy in the 1980s," 9 May 1980.
20. "The Fourth Year, What We Have Said 1976-1980 and . . . What Has Been Said About Us," 6 November 1980.
21. "The Fifth Year . . . and the New Administration," 11 November 1981.
22. "Is the Reagan Defense Program Adequate?," 17 March 1982.
23. "Has America Become Number 2? The U.S.-Soviet Military Balance and American Defense Policies and Programs," 29 June 1982.
24. "U.S. Public Attitudes Toward the Nuclear Freeze and Other Nuclear Arms Issues," 19 April 1984.
25. "U.S. Public Attitudes Toward the Defense Effort—Program, Priorities and Budget," 26 April 1984.
26. "Alerting America—The Papers of the Committee on the Present Danger, 1976-1984," (published by Pergamon-Brassey's, in hardback and paperback) 20 November 1984.
27. "Can America Catch Up? The U.S.-Soviet Military Balance," 30 November 1984.
28. "Defense and the Deficit," 6 March 1985.
29. "U.S. Public Attitudes Toward the Geneva Summit and Arms Control," 17 October 1985.
30. "U.S. Public Attitudes Toward the Strategic Defense Initiative and the U.S. Defense Effort," 24 October 1985.
31. "Where We Stand On Arms Control," 16 July 1986.

* Out of print.

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This statement was approved for issuance by the Executive Committee. As with all Committee reports, a bibliography on this subject and research material on which the statement is based will be made available for study by interested parties at the Committee's offices.

The Committee on the Present Danger is a non-profit, bipartisan research and educational organization of private citizens founded in November 1976 to facilitate a national discussion of U.S. foreign and national security policies and programs directed toward a secure peace with freedom.

PREPARED STATEMENT OF EUGENE V. ROSTOW

Thank you, Mr. Chairman, for inviting me to testify on the ratification of the I.N.F. Treaty. When I testified on the SALT II Treaty in 1979, I spoke for the Committee on the Present Danger. That group published its extended analysis of current nuclear arms control problems, and its policy recommendations, in a statement entitled, Where we Stand on Arms Control, released on July 16, 1986. I speak here as an individual.

The Constitutional responsibility of the Senate in the ratification of treaties is always a serious one. In this instance, it is particularly grave. You must weigh and balance conflicting considerations of great importance bearing on the central problems of American security—the future of our relationship with the Soviet Union, on the one hand, and, on the other, the solidarity of our alliances and other security arrangements, both in the Atlantic and the Pacific.

Arms control agreements should be judged only by the contribution they make to the security of the United States; arms control, after all, is a means to an end, not an end in itself. That was the major premise of the statements I made here on SALT II in 1979, and it is the major premise of the testimony I shall offer you today. I do not think anyone disagrees with this principle. But it is easy to forget when we become absorbed in the intricate details of arms control reasoning, which tends to have a life of its own.

Some of the changes recommended in my statements on SALT II nine years ago have become American and allied arms control policy and are now formally accepted by the Soviet Union.

For example, the nuclear arms negotiations now in train no longer seek agreement only on the number of launchers each side may deploy, but would regulate the number of warheads and their destructive power as well. This is a welcome step towards relevance and reality in nuclear arms control. Launchers are not an appropriate unit of account in arms control treaties. People are killed,

after all, by warheads and not by launchers. And agreements regulating the number of launchers create incentives for increasing the throw-weight of each launcher, so that it can propel larger numbers of MIRVed warheads. That bias in the structure of the Soviet and American arsenals has been a factor of instability. Regulating the throw-weight of weapons, on the other hand, creates an incentive to develop smaller weapons.

Secondly, the Soviet Union seems to have agreed to take responsibility for the figures used in the negotiations about its own nuclear force. We do not know yet how reliable those figures are; that is a point the Senate will surely wish to probe carefully. But it is certainly good news that the Soviet Union has agreed to change the ridiculous practice of the earlier period of nuclear arms negotiation, when American intelligence estimates about the size of the Soviet force were the basis for the talks. That practice gave the Soviet Union a good opportunity to evaluate the accuracy of our intelligence, but had nothing else to recommend it.

Third, the Soviet Union seems finally to have accepted the principle of equality as the norm for nuclear arms control agreements, even when achieving equality would require the Soviet Union to make larger reductions than the United States. For years, the Soviet negotiators have clung to the insidious principles of "equality and equal security" and the rule of equal reductions rather than reductions to equal levels. We should never tolerate either idea.

Fourth, the I.N.F. Treaty deals with systems in factories, warehouses, and re-load stations as well as with deployed systems which can be photographed from satellites. This is of the utmost importance. Systems held in reserve are just as much a threat to our security as those in the field. On this issue the Treaty before you presents questions which require exploration and clarification, but there is no doubt that the American negotiators have made progress.

Finally, this round of negotiations has witnessed a dramatic breakthrough in verification procedures. During the summer of 1981, the United

States told the Soviet Union it would have to take responsibility for supplying figures about the Soviet arsenal, and that national technical means--that is, satellite photography and electronic surveillance--were no longer sufficient for purposes of verification, but would have to be supplemented by cooperative measures. The Soviet Union has now responded positively to this American initiative. It is too soon to reach any conclusions about the adequacy of the new procedures, but it is surely a promising development that they have been agreed upon.

In my view, however, the I.N.F. Treaty does present two major problems at this point.

First, the Treaty is flawed in one important respect. It calls for the complete dismantling of all Soviet and American missiles of intermediate range. As the reaction to the prospect of the double-zero I.N.F. solution both at home and abroad makes abundantly clear, low equal quotas for each side, which the United States proposed in 1983, would be decidedly preferable. The Administration has never explained why it abandoned its 1983 position and reverted to the zero option when the Soviet Union returned to the bargaining table in 1985. I hope the Senate will probe this key point, which is the source of so much concern here and abroad about the possible decoupling effect of the Treaty.

And secondly, the effort to ratify the I.N.F. Treaty before we are assured of sound agreements on the other elements in the nuclear equation violates the most basic principle of nuclear force analysis, namely, that the politico-military effects of particular nuclear forces can be evaluated only in the context of the Soviet-American nuclear balance as a whole. In 1972, Ambassador Gerard Smith, our chief negotiator in the Salt I talks, formally declared that "the supreme interests of the United States" preclude final agreement on one part of the nuclear equation until the others are dealt with as well. That policy is as sound today as it was when it was announced. It is therefore impossible to determine the politico-

military significance of the I.N.F. Treaty until we know what will happen next in the negotiations about strategic offensive and defensive systems.

II.

The testimony on SALT II I presented in behalf of the Committee on the Present Danger in 1979 did not recommend that the Senate reject the SALT II Treaty categorically, or refuse to vote on it at all. Instead, we recommended that the Senate advise the President and the nation of the need to seek a more positive, forward looking, and effective foreign and defense policy, and state the goals and principles on which that policy should be based, and meanwhile withhold its consent to the ratification of the SALT II Treaty until it was modified to meet certain deficiencies which we specified at that time.

While much has been accomplished since 1979 both in the United States and in the other countries of the Western coalition to fulfill this goal, much remains to be done. Many in the West think that our rearmament efforts during the last decade have closed the gap in the Soviet-American military balance. This is not the case. As the reports of the Committee on the Present Danger, the International Institute of Strategic Studies in London, and other groups have made clear, the Soviet Union is increasing its lead over the United States in nearly every category of military strength, perhaps more slowly than before, but gaining nonetheless. The American space program clearly needs a fresh start. The instability of the world economy, the foundation of our security efforts, is a fact which requires no emphasis here. Since August, 1971, the great industrial nations have been attempting to manage an economy which is integrated in trade and investment but lacks a disciplined and appropriate monetary system. And we have made little progress towards renewing the bipartisan consensus on the ends and means of our foreign policy, a goal which was stressed in my 1979 testimony, and which Congress has recently done much to encourage.

The problem of intermediate range nuclear delivery systems--at that time notably the SS-20--was one of the the points on which I recommended that the SALT II Treaty be renegotiated in 1979. The Soviet development of what were then called "grey area" weapons--the range of weapons between theatre forces and intercontinental forces--constituted what my testimony called

"one of the most fundamental weaknesses of the SALT II Treaty, the fact that it purports to deal only with intercontinental weapons. Dean Rusk once commented that the SALT approach was like building a dam across half a river. It serves no purpose to regulate the intercontinental nuclear balance if Europe, Japan and our other allies and interests are exposed to more and more ominous threats, both conventional and nuclear. The danger to our vital national security interests is the same... The urgency of this problem is one of the important factors which led our Committee to recommend that the present text of the SALT II Treaty should not be ratified, and that we should proceed forthwith to rebuild our alliances and our defenses and resume arms control negotiations with the Soviet Union on the basis of an agenda which includes "the grey area."*

What I said then about the error of negotiating about intercontinental weapons without controlling intermediate range weapons applies equally to the present situation in which we are considering the ratification of an INF Treaty before we have a sound agreement in hand on intercontinental weapons and defensive systems. This position was reiterated and developed in the statement on arms control the Committee on the Present Danger published on July, 16, 1986, where it concluded that an agreement which eliminated I.N.F. and shorter range systems without stabilizing changes in the nuclear balance as a whole would leave Western Europe, Japan, and other American allies facing the weight of overwhelming Soviet nuclear and conventional capabilities at a time of increasing doubt about the American nuclear guaranty. The statement concluded that the American zero-zero proposal

"has again raised the specter of decoupling the security of U.S. allies from that of the United States. A complete elimination of INF systems would leave Europe, Japan and other U.S. allies facing Soviet superiority both in shorter-range and strategic nuclear systems capable of striking Western European and Asian targets, as well as massive Soviet conventional superiority. U.S. European allies are especially sensitive to the fact that eliminating U.S. INF weapons in

* The SALT II Treaty, Hearings before the Committee on Foreign Relations of the United States Senate, Part 2; pp. 386-387 (1979).

Europe would heighten the importance and danger of the remaining imbalances. Clearly, the United States will have accomplished little if, by removing its Pershing II and cruise missiles from Europe, it increases the risk of conventional war. A sound INF agreement must provide for equal U.S.-Soviet nuclear capabilities, without decoupling allied security from the U.S. nuclear guarantee either in Europe or in Asia.*

The reasons supporting this judgment are more compelling and more obvious every day, as anxiety mounts in the United States, Europe, China, and Japan that L.N.F. might be ratified and carried out alone, while the possibility of agreement on the other elements of the nuclear equation vanishes into the mist. The Soviet Union has long demonstrated its skill in prolonging negotiations when it wishes to do so. We should not gamble our national security on the hope that in this sphere the Soviet Union will decide to agree rather than to stall.

We cannot remind ourselves too often that nuclear weapons are primarily political instruments, not weapons intended to be fired. No one can guarantee that there will never be a nuclear war, but nuclear war, at least among the major industrial powers, is the least likely hazard of the future. I do not, of course, intend by this comment to belittle the importance of nuclear weapons in world politics; on the contrary, this fact brings out their significance as critical instruments of what Sun Tzu called the indirect methods of warfare, the most powerful and effective of all instruments of war.

In order for nuclear weapons to be converted into a coercive political influence, the possibility of their being fired in war must be visible and credible. If that condition is met, each of the nuclear powers builds and modifies its nuclear arsenal in order to deter. We use the term often and casually, but rarely stop to analyze it. What are nuclear weapons supposed to deter? And what in fact do they deter? Deterrence is a matter of a perception. A government must decide whether its adversary's nuclear force, considered as a whole, is so clearly superior that it might actually be used in the heat and turmoil of war. Since no one wants

* Committee on the Present Danger, "Where We Stand on Arms Control," (1986) pp. 47-48.

to find out empirically whether the arcane calculations of a first strike capacity are realistic, such decisions, thus far at any rate, have been decidedly cautious.

At the moment, the Soviet Union, the United States, and the smaller nuclear countries have different doctrines of deterrence.

The nuclear forces of the smaller nuclear powers, China, Great Britain, and France, exist to reinforce the American nuclear guaranty which is necessarily the ultimate basis of their security. Their own forces in themselves cannot deter the much larger forces of the Soviet Union. Without American backing, British, French and Chinese forces cannot therefore eliminate the immense and continuous political pressure the Soviet nuclear arsenal exerts on them. This unchangeable fact explains why the prospective withdrawal of the American Pershings and ground based cruise missiles from Europe is creating such acute political worries. People fear that such a withdrawal would be a signal of American disengagement and the first step in an American retreat to isolation. This concern is the nightmare of West European, Japanese, and Chinese politics. We must treat it with care and respect as inevitable under the circumstances of allied interdependence.

The mission of the American nuclear force is to deter Soviet attacks on the United States and other vital American security interests: that is, the interests which, under the circumstances, are critical to the maintenance of the balance of power. It follows that our goal in the nuclear arms control talks is to reach agreements based on deterrence in our sense of the term, stabilizing agreements which would deny the Soviet Union the capacity for nuclear blackmail.

Between the beginning of the nuclear era and the present time, on the other hand, Soviet nuclear doctrine and the goal of the Soviet Union in nuclear arms control negotiations have been altogether different. That policy may change under Mr. Gorbachev, but there is as yet no sign of a change in Soviet objectives, although of course there has been a dramatic change in Soviet tactics. Until now, at any rate, the mission of the Soviet nuclear force has been to deter any American

or Western defense against the threat of Soviet aggression anywhere, and the Soviet objective in the arms control negotiations has been to deny the United States the possibility of catching up. In short, for the Soviet Union the nuclear weapon is the ultimate sanction behind its program of expansion. Historically and in its present configuration, the Soviet nuclear force is thus a weapon of aggression, and our own a weapon of self-defense.

The distinction between the Soviet and American nuclear doctrines is brought out most vividly in the Soviet Union's long and patient efforts to achieve its primary strategic objective: to detach Western Europe, Japan, and China from the American security network and thereby transform the world balance of power. To accomplish this goal, the Soviet Union has been seeking to achieve overwhelming nuclear superiority over the United States, both through its building programs and through arms control agreements. It believes that such nuclear superiority, coupled with its huge and growing conventional forces, would, like an enormous magnet, break the ties between the United States and the other principal centers of Western power, and force the United States back into Fortress America, isolated and impotent. Soviet spokesmen have made it plain that their objective is to denuclearize--that is, to neutralize--Germany and all of Western Europe, and that the I.N.F. Treaty is simply a first step in that direction. They are already holding out the bait of a new Rapacki Plan to the East and West Germans, and to the rest of Western Europe as well. The NATO allies have resisted such blandishments for nearly forty years, but the Soviets keep trying.

The Soviet intermediate range nuclear weapons have played a central part in this prolonged campaign. They are designed to threaten American interests in Europe, the Far East and the Middle East while the United States is paralyzed by Soviet superiority in ground based intercontinental missiles and in systems of defense against ballistic missiles. The basic question before your Committee is whether the I.N.F. Treaty is part of a package of agreements designed to stabilize the entire Soviet-American nuclear equation or a trap intended to bring Western

Europe, China, Japan, and many other countries into the Soviet sphere of influence, and thus emasculate the United States.

I submit that no one can now answer this question. The disparity between what the Soviets say and what they do is too great. It is conceivable that Mr. Gorbachev and his colleagues have decided to end the Cold War, and are signalling that decision to us in the arms control arena. That is a consummation devoutly to be wished, and we should do everything possible to encourage it. Until that point is clearly established, however, we must prudently base Western policy on the assumption that Soviet foreign policy is what it has been since the Bolshevik Revolution of 1917. We must assume that Mr. Gorbachev means exactly what he says when he tells the world that Soviet foreign policy is guided by the principles of Lenin. Certainly Soviet actions in the Middle East, Africa, the Caribbean, and the Far East offer no comfort to those who tell us that Soviet foreign policy has changed.

From the point of view of negotiating tactics, ratifying INF now would be a serious mistake. Once we ratify an INF agreement, agreement on START and on defensive systems would become urgent for us. We should then be under great pressure to make concessions in order to get a START agreement and to reach an agreed position on defensive systems. Under such circumstances it would be virtually impossible for us to persuade the Soviet Union to return to the interpretation of the ABM Treaty on which the Soviet Union insisted when the Treaty was drafted and signed, and which the United States has now embraced. And it can hardly be supposed that the pressures of election-year politics in the United States would provide a favorable environment for arms control negotiations.

As a matter of our national security, the United States should ratify only a comprehensive agreement, stabilizing the Soviet-American nuclear balance as a whole. For the Soviet Union, however, the best possible outcome would be the double zero INF agreement, and nothing more. Such a solution would eliminate all American nuclear weapons above the battlefield range from the soil of Europe, and

leave the Soviet I.C.B.M. arsenal, space program, and ABM effort intact. The Soviets would throw in their SS-20s and some older INF weapons in order to get rid of the American Pershings and GLCMs in Europe: a good bargain, from their point of view. The Soviet leaders have or think they could soon have enough longer-range weapons both to threaten Western Europe, Japan, China, and the Middle East and to paralyze the United States.

Unless the Soviets can obtain I.C.B.M. reductions so drastic as to be destabilizing, the death of the American S.D.I. program is the only compensation that might interest the Soviet Union in a START agreement. Such an outcome would leave the Soviet Union with a monopoly in defensive systems, which would significantly alter the nuclear balance. Do the Soviets have to pay for such an outcome, or can they rely on American politics to achieve it for them?

If we assume that the Soviet goal in arms control negotiations has not changed, these are the tactical questions Gorbachev and his advisers are now considering. Indeed, their public statements make their position clear. They warn us that success in the START negotiations is by no means assured, that a stabilizing agreement on space activities is out of the question, and that we must abandon the view of the ABM Treaty the Russians held so tenaciously in 1972 and accept what is now generally—but wrongly—called the "traditional" or "narrow" interpretation of that treaty.

In 1972, we ratified the ABM Treaty and declared publicly that we might abrogate it unless we could obtain a satisfactory agreement on offensive arms, just as we threatened to abrogate the 1972 Interim Agreement on offensive weapons if the Soviet Union violated our "unilateral understanding" of what the Interim Agreement meant. But the threat of abrogation proved to be an empty one in both instances. There were too many political cross-currents in the West, and too many hopes attached to arms control agreements as symbols of peace to make the option of abrogation by the United States credible.

In the light of that experience, it would be more practical and more convincing to delay the ratification of INF until the negotiations in Geneva on START and space questions run their course. The same end could be achieved through a reservation or amendment put forward by the Senate and accepted by the Soviet Union when instruments of ratifications are exchanged. If a sound arms control package is achieved, the INF Treaty in its present form would be acceptable as part of it, although in my opinion an agreement based on small equal quotas would be preferable. But more than twenty strenuous and disappointing years of nuclear arms negotiation should persuade us that we have no right to run the risks of the INF Treaty standing alone.

III.

Thus far nine arguments have been advanced to support the Administration's case for ratifying the Treaty now.

First, it is said that the agreement eliminates an entire class of nuclear weapons. Clearly, this is not the case. Every target which can be reached by intermediate range weapons can also be reached by long range weapons. And not a single warhead will be destroyed. The megatonnage in both sides' arsenals will not decrease as a result of this Treaty. Only the delivery vehicles carrying the warheads and the shrouds covering them will be eliminated. The explosive device and guidance system within the warhead package itself will be removed and may be re-fitted to a different type of delivery vehicle.

Second, it is argued that this treaty is the first step towards abolishing all nuclear weapons, and thus relieving mankind of a terrible curse. Short of achieving such harmony among the nations as to make it feasible to consider solutions like that of the Baruch Plan which the United States proposed in 1946, there is no substance in that ideal. The nuclear secret has escaped from the Cavendish Laboratory. Any moderately industrial country can make nuclear weapons and rich countries can buy them. In a world where governments

sometimes fall into the hands of predators, thugs, or lunatics, the United States can never abandon its nuclear arsenal altogether.

Third, it is urged, the Treaty embodies an irresistably favorable bargain, because the Soviet Union would dismantle more missiles than we would. The Soviet Union's acceptance of the principle of unequal reductions to equal levels is indeed a major and welcome achievement in arms control negotiations. But I remind you what the wise Trojan leader Laocoon said about the great wooden horse. "Timeo Danaos et dona ferentes," "I fear the Greeks even when they bear gifts." Soviet diplomats used to say, "We are neither pacifists nor philanthropists." Mr. Gorbachev expects compensation for his concession. What is it? And what would we lose if we waited to make sure that the price is not too high?

Fourth, we are told, the I.N.F. Treaty does no more than return the nuclear situation to what it was in the mid-Seventies. This, too, is not a realistic appraisal of the problem. The Soviet nuclear arsenal is much stronger in relation to ours than it was ten or fifteen years ago, both absolutely and because of the development of its space program and its progress in defensive systems. U.S. strategic offensive forces, which provide the ultimate nuclear guaranty to Europe, Japan, China, and other American strategic interests, are today at their most vulnerable, while Soviet strategic offensive forces are at their most powerful. In this context, the political and psychological effect of withdrawing the Pershings and GLCMs would be altogether different from that of an agreement not to deploy them.

Fifth, it is said, a zero-zero agreement would be much easier to verify than an agreement providing for low equal quotas. This would be a plausible argument if the Treaty dealt only with deployed missiles which could be readily identified from satellites. But as I pointed out earlier, the Treaty deals also with missiles in warehouses, factories, and reload stations which cannot be photographed from satellites. And SS-20s and the newer intermediate range weapons are not readily distinguishable under all circumstances by photography. They are, for

example, capable of being transformed into longer range weapons by adding a stage. Thus the problem of verifying the I.N.F. agreement turns out on examination to be not much different from the problem of verifying an agreement providing for small equal quotas.

Sixth, we are told that this agreement would not impair the conventional defense of NATO or other theaters in which we might have to use conventional forces. Yet the agreement bans the production, testing and deployment of all ground-launched cruise missiles, nuclear and non-nuclear, a system that has extraordinary potential for the conventional defense of Europe and other areas. This provision in the Treaty sets a dangerous precedent. It is the first time that a nuclear arms control accord has prohibited the deployment of a dual-capable system with specific non-nuclear applications for theater defense.

Seventh, advocates of the Treaty say that the severe verification provisions in the agreement reduce to a minimum the Soviet incentive to cheat. In light of the smallness and mobility of the systems covered by the Treaty, the relative ease with which the Soviets could break out of the treaty by re-deploying these systems, and the past record of U.S. inaction in the face of confirmed Soviet arms control violations, such an assertion is troublesome.

Eighth, some contend that it wouldn't be fair or politically acceptable for us to repudiate an agreement based on a plan the United States had proposed. But the policy I am recommending today does not involve repudiating anything. I can assure you that when the I.N.F. and START negotiations were organized in 1981 and 1982, they were set up in the same city, and the negotiating teams had offices in the same building, precisely because the United States government conceived of the negotiations as dealing with two aspects of the same problem. Both in Washington and in Geneva the negotiations were treated as unitary and managed accordingly. All I am suggesting is that the United States delay ratification until we can be more confident we know what is happening. If we are to reach a full nuclear bargain with the Soviet Union--and our interest is in a full

bargain or none at all--there is no reason for ratifying the elements of that bargain piece-meal, and every reason to ratify it as a whole.

Finally, it is urged, even a delay in ratification, however accomplished, would shock and frighten allied opinion, and lead to a loss of confidence in the United States as a negotiator and as leader of the Free World. This is a serious consideration, and any such step in American policy would indeed have to be carefully discussed with the allies before the President finally ratifies the Treaty. But I note that precisely the same arguments were advanced by a number of distinguished witnesses during the hearings on SALT II in 1979. I participated in one such session. In 1979 of course, we did not ratify the Treaty and President Carter requested the Senate to take no further action after the Soviet invasion of Afghanistan. But the NATO alliance was not in the least weakened as a consequence. On the contrary, immediately after the rejection of SALT II, the NATO allies cooperated with calm, firmness, and style to carry out their two-track decision in the face of a violent Soviet propaganda attack. The 1979 two-track decision called for the deployment of the American Pershings and GLCMs and negotiations on the subject with the Soviet Union. The prolonged consultation among the allies on this set of problems was exemplary, and represented allied solidarity at its best under extremely difficult circumstances. The deployments were carried out in the face of strong public protests, and in each case the allied governments which carried through the two-track decision were vindicated at the polls.

Some say that adopting the position I am urging here would convince the Soviet leadership that the United States Senate is unwilling to approve any agreements with the Soviet Union. But the position I am taking here is exactly the position Mr. Gorbachev took at Reykjavik, and the Soviet negotiators have taken for years. The Soviets have accepted many of our positions on INF. Why should they object if we accept one of theirs?

IV.

Some Americans favor the zero option approach to nuclear arms control because they favor the policy of American withdrawal from forward positions around the world and decoupling our security from that of our allies. People of this persuasion believe that such a course would permit us to escape the nightmare of the nuclear weapon. Sometimes they ominously remind us that "great powers do not commit suicide in behalf of their allies." Of course this is true in the sense that neither great powers nor small ones consciously undertake wars they know they cannot win. One of the first rules of American statecraft is that the President should never be put into a position where he would have to choose between sacrificing an important American interest and actually using the nuclear weapon. That is what the American theory of deterrence is about, to permit us to protect our security by diplomacy and conventional means, without facing nuclear intimidation or the risk of nuclear war.

The ultimate fallacy of the arguments of those who favor American withdrawal is that we have to have exactly the same retaliatory nuclear capacity to deter plausible threats against our own territory and against the territory of our allies and associates. In the nuclear sphere, there is no difference between "deterrence" and "extended deterrence." The requirements of effective nuclear deterrence depend upon the size and configuration of the Soviet nuclear force, not on the location of areas where the threat to our interests arise. Unless we have a nuclear deterrent, we shall be unable to use our conventional forces against the Soviet Union anywhere.

We have spent more than forty years of painful effort to prevent Soviet control of Western Europe, Japan, China, and smaller countries of critical importance to our interests. Costly as that effort has been in blood and treasure, preserving the world balance of power is and will remain the central American security interest in world politics. We cannot contemplate allowing any single power to dominate the entire Eurasian land-mass.

Removing the American Pershings and GLCMs from Europe without obtaining good agreements on offensive weapons and defensive systems would have a considerable impact on political attitudes in Europe and in Asia as well as in the United States. It would encourage impulses towards neutralism and accommodation, on the one hand, and towards ultra-nationalism and militarism, on the other. Such developments are divisive and they could become difficult to control.

The purpose of my testimony here, Mr. Chairman, is to urge that we take no step that would increase the risk of Soviet success in their long effort to achieve the goal of dominating the entire Eurasian land mass. Those who favor the immediate ratification of I.N.F. assume that sound agreements helping to stabilize the rest of the nuclear equation will surely follow. All Americans hope that their optimism is justified. Certainly I do. But it may not be justified. We lose nothing by waiting until we know.

Let me conclude, Mr. Chairman, by recalling a comment by James Madison in No. 41 of the Federalist Papers. He was addressing the anxiety of those who opposed the new Constitution because it did not prohibit standing military forces in peacetime. It was indeed a troublesome subject, Madison wrote, but the answer is not in our hands.

"How could a readiness for war in time of peace be safely prohibited, unless we could prohibit, in like manner, the preparations and establishments of every hostile nation? The means of security can only be regulated by the means and the danger of attack. They will, in fact, be ever determined by these rules, and by no others. It is in vain to oppose constitutional barriers to the impulse of self-preservation. It is worse than in vain; because it plants in the constitution itself necessary usurpations of power, every precedent of which is a germ of unnecessary and multiplied repetitions. If one nation maintains constantly a disciplined army, ready for the service of ambition or revenge, it obliges the most pacific nations who may be within the reach of its enterprises to take corresponding precautions. The fifteenth century was the unhappy epoch of military establishments in the time of peace. They were introduced by Charles VII of France. All Europe has followed, or been forced into, the example. Had the example not been followed by other nations, all Europe must long ago have worn the chains of a universal monarch. Were every nation except France now to disband its peace establishments, the same event might follow. The veteran legions of Rome were an overmatch for the undisciplined valor of all other nations, and rendered her the mistress of the World."

PREPARED STATEMENT OF JOHN D. STEINBRUNER

I am pleased to have the opportunity to contribute to the Senate Committee on Foreign Relations' consideration of the INF treaty. As I am sure you are aware, I appear as an individual and not as a representative of the Brookings Institution or any other organization. I will do my best to present judgments, however, that enjoy a reasonable degree of support in the professional community.

I realize that the Committee has already heard a great deal of eloquent and authoritative testimony and that its members have considerable knowledge of the subject. In deference to all that has been said before I will be brief and will focus on a few issues that I believe are essential.

I support the treaty and I believe it should be ratified without any qualification or amendment that would alter its content. It is important, however, that the treaty should be understood not as an isolated outcome but rather as the initial stage of a more comprehensive security arrangement, involving a reduction of strategic forces, some restraints on technical modernization, and a stabilization of the conventional weapons balance in Europe. The terms of the INF treaty are acceptable and desirable as presented but their ultimate significance depends on their contribution to these more extensive measures. It is particularly important that the ratification of the treaty and the more general process of establishing political acceptance in the United States not damage broader security objectives, as could happen if the nature of the treaty and its relationship to these other issues is misunderstood.

There are in my view four principle features of the treaty and of the context of security that should guide your deliberations.

First, the major benefit of the treaty to the United States is more political than directly military in character. The missiles being removed have been the source of serious division within our alliances--the Soviet SS-20 because it appeared to embody a separate threat to our allies implicitly challenging the American security guarantee; the Pershing II and ground-launched cruise missiles because their deployment pitted the

cooperating European defense ministries against strong domestic political sentiment, particularly in Germany. The elimination of these weapons will diminish partisan conflict over security policy and thereby remove a major threat to alliance cohesion. That accomplishment does not by itself guarantee that a stable consensus will form, but it certainly provides a necessary condition. Though it might seem to be a vague abstraction in comparison to the familiar physics of booster rockets and nuclear warheads, political consensus within the alliance is a matter of very great practical importance and American security depends upon it.

The ratification process is important in securing these political benefits of the treaty, as is the handling of subsequent negotiations and defense planning commitments. It is evident that the net political judgment in Europe is overwhelmingly favorable to the treaty. Expeditious and decisive ratification in the United States is necessary to consolidate that sentiment and to connect it to alliance security policy. It would be a political disaster and a major blow to American leadership of the alliance if ratification were to become so entangled in the American political process that it could not be completed. Similarly, the molding of approval of the treaty into a stable consensus requires judiciousness in dealing with weapons remaining in Europe. In particular any attempt to force immediate modernization of the nuclear weapons remaining as implicit compensation for those being removed would either reintroduce partisan divisions in Germany in yet more virulent form or conceivably even crystallize a unified German rebellion against such a program. Either result would vitiate the principal benefit of the treaty.

The second basic point to keep in mind is that the missiles removed by the treaty do not materially affect the capacity to provide a nuclear deterrent against conventional invasion, much political rhetoric to the contrary notwithstanding. A credible deterrent threat against a conventional invasion must be based on a very limited number of weapons to avoid massive collateral damage in the territory being defended, and these weapons must be delivered at very precise locations at very precise times

under very strict operational control. This type of threat is far more readily presented by weapons outside of Europe which do not have the physical vulnerabilities and operational disadvantages that forward positioning entails. If Western opinion chooses to ignore that hard military reality, Soviet military leaders cannot. Real military capacity is necessarily a more powerful ingredient in their calculations than political symbolism. The real state of deterrence, including extended deterrence, is certainly not diminished by the INF treaty and arguably it is improved by the removal of inherently vulnerable weapons. There is no need, therefore, for military compensation.

The third important element of the situation follows from the second. The treaty will not make the balance of conventional weapons any more dangerous than it has been nor does ratification of the treaty offer any meaningful or constructive opportunity to exercise leverage on that question. Leverage, moreover, is the least of our needs. The most valuable commodity would simply be conceptual clarity, by which I mean an agreed and accurate assessment of what the conventional balance actually is and a design for how we want it to be. If such an aspiration takes time to accomplish, as it undoubtedly will, then it is important in the meantime to adopt a practical attitude.

Such an attitude recognizes that the balance of conventional capability, however difficult to measure, cannot be grossly unfavorable to NATO. NATO as a whole has spent more on defense than the Warsaw Pact as a whole for more than twenty years, utilizing a superior technical base. Estimates of aggregate firepower available suggest that the relative advantage of Warsaw Pact forces, at 1.6:1, is well below the threshold of superiority traditionally required to enable a successful invasion. Short of large relative inefficiencies or operational incompetence, NATO should not be overwhelmed, particularly since its mission--the defense of home territory--has historically been easier to perform.

A practical attitude would also recognize the inherent promise in recent Soviet suggestions for stabilizing the conventional balance by

various arms control measures. The expressed Soviet interest apparently is rooted in the conflicting demands on their military forces, the fiscal pressures involved in maintaining them, and the disadvantages they face in competing with Western military technology. There is good reason to assume a seriousness of purpose and to proceed with the obvious test--the presentation of a Western arms control proposal that defines a plausible outcome. At the moment we are having difficulty formulating such a proposal and coordinating positions within our own alliance. Given that circumstance, any attempt to impose explicit conditions on the INF treaty relating to conventional force measures would be an exercise in twisting our own arms. That is neither a graceful nor an effective posture. The process of stabilizing conventional balance would not benefit from that encumbrance.

A fourth, particularly important aspect of the treaty to keep in mind is a principle that is implicit in its provisions but not articulated in the text or in the official explanations that have accompanied it. The treaty deals with missiles operating in the range of 500-5,500 km, and its architects have emphasized that this entire class of weapons will be completely eliminated. The military significance of weapons defined in this way stems from their ability to strike more quickly than longer-range weapons and with less effective warning. These characteristics are primarily useful for attacks on the opponent's strategic assets. The Soviets were particularly concerned about the Pershing II because of its imputed capacity to strike with sharply reduced warning at their central command system, the most vulnerable element of their strategic forces and a logical focus of a preemptive attack plan. Removing Pershing II and the class of weapons to which it belongs constrains the capacity and thereby the inclination to engage in a preemptive attack against the opponent's strategic forces. That is by far the most significant military consequence of the treaty.

Under their current configurations, the strategic forces of both the United States and the Soviet Union would be subjected under severe crisis

circumstances to very strong pressures to attempt a presumptive attack. I believe that the most serious danger of nuclear war arises from those reciprocal pressures which are deeply rooted in the operational posture of each strategic organization and which might overwhelm political leaders whatever their personal intentions. Controlling the pressures for preemption--the purpose that is implicit in the INF treaty but not specifically identified--should become a central, explicit objective of strategic arms control and should be systematically developed.

That principle clearly identifies the additional measures that should follow the INF treaty. It is desirable to reduce the overall capacity of strategic forces to a level that preserves their core deterrent capability but denies the capacity for effective preemption against the opponent's strategic forces. A 50 percent reduction of current forces would be a reasonable first approximation, provided that the multiple warhead system with advanced accuracy are disproportionately reduced in the first phase, (that is, the Soviet SS-18 and the U.S. MX ICBM's; the prospective U.S. Trident II SLBM and the Soviet equivalent). As a more distant objective, strategic forces should be reduced to the level of 3,000 warheads under design restraints that prohibit new multiple warhead systems and allow modernization only on the basis of single warhead technology. These provisions would strengthen controls on preemptive capability.

A systematic program to control the pressures for strategic preemption also requires that strict controls be preserved on the deployment of strategic defenses, a provision that is just as important to the United States as it is to the Soviet Union. It might be feasible in the distant future to arrange mutually desirable defensive deployments under highly refined agreements on scale, timing, purposes, and underlying technology. It is virtually certain that any attempt to introduce defensive technology unilaterally would reintroduce the preemption incentive, possibly even increase it, for the simple reason that any defensive system whose performance is not literally perfect will be distinctly easier to penetrate if one initiates the attack than if one retaliates after suffering the

initial attack. If forces are reduced to the point that they are precisely tailored to core deterrent requirements, the introduction of defenses could produce very powerful preemptive incentives.

Eventually, as well, a systematic effort to control the pressures for preemption will have to establish a regime regulating the use of space for military purposes. Current reconnaissance and communications assets make a critical, positive contribution to this purpose and need to be protected from the systematic development of offensive threats against them. Ultimately some ceiling will have to be set, however, on the scale of space reconnaissance allowed so as to distinguish the legitimate functions of warning, verification and managerial control from observations so frequent and intrusive that they might support preemptive offense.

In sum, then, the INF treaty is an opening episode in a necessarily more extensive effort to stabilize the balance of military capability and to render it more manageable, more defensive in operational character, more robust to the pressures of crisis, and overall less dangerous. That enterprise is motivated by security interests on both sides which fortunately are not in fundamental conflict. The motive is strong enough, I believe, to discipline the rituals of bargaining and the collisions of partisan opinion that have been so disruptive in the past. At this moment it appears that the Senate will ratify the treaty. I hope that it does so with clear realization of what remains to be done and with a practical attitude about doing it.

ARTICLE-BY-ARTICLE REVIEW OF THE INF TREATY

THE INF TREATY: ANALYSIS AND COMMENT

Introduction

This analysis of the Intermediate Nuclear Force Treaty, entered into December 8, 1987 between the United States and the Soviet Union and currently being reviewed by the U.S. Senate, was prepared by a working group convened at the American Enterprise Institute for Public Policy Research and chaired by AEI visiting fellow Frank Gaffney. The members of the working group are listed on the following page.

The purpose of the working group's analysis is not to support or oppose ratification of the INF Treaty; indeed the group includes individuals on both sides of the ultimate issue before the Senate. The aim here is rather to examine rigorously and in detail the effectiveness of the Treaty's

provisions and protocols in achieving the Treaty's own goal: to eliminate all intermediate-range and all shorter-range nuclear missiles. Regardless of the wisdom of this goal it is clearly in the interest of the United States that the Treaty's requirements should be as transparent as possible and that its verification provisions should protect against undetected violations. Mindful of the Soviet Union's exploitation of ambiguities and loopholes in past treaties, and concerned that differing interpretations could lead to an unequal exchange of rights and obligations in the future, the authors have sought clarity, precision, and the timely assessment of ambiguities in the Treaty's text.

The members of the working group believe that a number of the INF Treaty's deficiencies discussed in this analysis could be exacerbated if an agreement limiting strategic arms were concluded and if certain of this Treaty's provisions were regarded as a precedent for the later agreement. They have thus identified problems which may strike some readers as minor details -- but which could become critically important in the context of the more ambitious agreements currently being negotiated.

This analysis is offered in a constructive spirit on the premise that the Senate will wish to understand the Treaty in detail before deciding whether to ratify it unreservedly or to amend or adopt reservations to it. Where there are ambiguities the Senate may wish to clarify them by eliciting an indication from the Soviets of how they interpret those provisions. In all events the sort of close scrutiny offered here should assist in placing the final disposition of the Treaty on a firmer basis than if the issues identified were not squarely addressed.

Christopher C. DeMuth
President
American Enterprise Institute
for Public Policy Research

INTRODUCTION

This paper reviews provisions of the INF Treaty, its two Protocols and Memorandum of Understanding. Comments are offered regarding a number of key issues. Where it is not yet possible to ascertain satisfactorily the meaning or implications of a given provision, we have highlighted the need for clarification by setting forth the relevant questions.

ARTICLE I - PRINCIPAL OBLIGATION

In accordance with the provisions of this Treaty which includes the Memorandum of Understanding and Protocols which form an integral part thereof, each Party shall eliminate its intermediate-range and shorter-range missiles, not have such systems thereafter, and carry out the other obligations set forth in this Treaty.

Comment:

The primary obligation of the Treaty parties is, according to this article, the complete elimination of all intermediate-range and shorter-range missiles and other specified items. This is the standard against which the Treaty's provisions must be judged. If, for example, as a result of the cumulative effect of allowed production, inadequate inspection and permitted

R&D, the Soviets can retain or produce prohibited missiles and other systems, the Treaty would fail to achieve its purpose.

ARTICLE II - DEFINITIONS

Analysis of the Article II definitions should take into account not only their suitability in the context of this INF Treaty, but also the implications of their use as precedents for a START Treaty. It should be noted that the provisions of Articles VI and VII significantly add to and in some cases alter the definitions of terms dealt with in Article II.

The Treaty does not define "elimination" as such, though it does specify procedures for eliminating specific items. The problem is that the specified procedures will not in every case result in the actual elimination of these items. In fact, in some cases items "eliminated" according to the specified procedures may even be able to continue to perform their prohibited functions. See comments on Article IV.1.

Article II, Paragraphs 1 and 2

For the purposes of this Treaty:

1. The term "ballistic missile" means a missile that has a ballistic trajectory over most of its flight path. The term "ground-launched ballistic missile (GLBM)" means a ground-launched ballistic missile that is a weapon-delivery vehicle.
2. The term "cruise missile" means an unmanned, self-propelled vehicle that sustains flight through the use of aerodynamic lift over most of its flight path. The term "ground-launched cruise missile (GLCM)" means a ground-launched cruise missile that is a weapon-delivery vehicle.

Comment:

Taken together, the definitions of ballistic and cruise missiles in Paragraphs 1 and 2 do not capture every possible type of missile. For example, a hyper-velocity glide vehicle appears not to be within the definitions. This should be confirmed, as some work is being done in the United States on that technology. What other missile technologies are similarly excluded by these definitions? Were all such exclusions intended by us? What uses can the Soviets make of such exclusions?

This provision permanently prohibits conventionally-armed ground-launched missile options that could contribute substantially to the non-nuclear defense of Western Europe. (See Report of Commission on Long-Term Integrated Strategy.) The INF Treaty makes such contributions more important than before. The breadth of the definitions -- that is, the fact that they cover conventionally-armed as well as nuclear-armed ground-launched missiles -- is said to be justified by the verification difficulties that would be created if conventionally-armed missiles were not prohibited. This verification benefit, however, has largely been negated by the fact that the definitions do not cover drones (remotely piloted vehicles) or any other ground-launched missiles that do not carry weapons.

The operative assumption evidently is that the Article VII counting rule, which specifies that such systems may not be flight-tested for weapon-delivery, will prevent prohibited missiles from being developed in the guise of drones. Is this assumption valid? In other words, is it possible to flight-test a weapon-delivery system in a manner that would not be distinguishable from the flight-test of a drone?

Given that major verification problems still inhere in these definitions, the wisdom of permanently banning conventionally-armed missiles should be reassessed.

Article II, Paragraph 3

3. The term "GLBM launcher" means a fixed launcher or a mobile land-based transporter-erector-launcher mechanism for launching a GLBM.

Comment:

A key issue of the Treaty is its application to Soviet GLBM launchers. See comments on Article IV, Paragraph 1.

Article II, Paragraphs 5 & 6

5. The term "intermediate-range missile" means a GLBM or a GLCM having a range capability in excess of 1000 kilometers but not in excess of 5500 kilometers.

6. The term "shorter-range missile" means a GLBM or a GLCM having a range capability equal to or in excess of 500 kilometers but not in excess of 1000 kilometers.

Comment:

These definitions refer to "range capability," but that phrase is misleading. In the case of ballistic missiles, as Article VII, Paragraph 4 makes clear, the range is considered to be not the maximum range of which the missile is capable, but only the maximum range to which it has been tested. As for the case of cruise missiles, see comments on Article VII.4.

Article II, Paragraph 8

8. The term "missile operating base" means:

(a) in the case of intermediate-range missiles, a complex of facilities, located within a deployment area, at which intermediate-range missiles and launchers of such missiles normally operate, in which support structures associated with such missiles and launchers are also located and in which support equipment associated with such missiles and launchers is normally located; and

(b) in the case of shorter-range missiles, a complex of facilities, located any place, at which shorter-range missiles and launchers of such missiles normally operate and in which support equipment associated with such missiles and launchers is normally located.

Comment:

"Normally operate" is not defined in the Treaty. Its use here implies that missiles and launchers may legally operate outside the missile operating bases. This may mean that missiles that qualify under the Treaty as "non-deployed" may nevertheless be operational, though it is clearly the intention of the Treaty that all operational missiles be deemed "deployed." Is there an agreed meaning for this term? What if anything do we know about the meaning the Soviets attribute to "normally" here?

Ambiguous or unclear terms of this kind may or may not have

great significance in the context of the INF Treaty. But we can expect many such terms to be transplanted into the START Treaty, where their significance might increase greatly. It is elementary but bears emphasis that it is very bad practice to allow terms of an arms control Treaty to remain ambiguous or undefined.

ARTICLE III - Treaty-LIMITED SYSTEMS

1. For the purposes of this Treaty, existing types of intermediate-range missiles are:

(a) for the United States of America, missiles of the types designated by the United States of America as the Pershing II and the BGM-109G, which are known to the Union of Soviet Socialist Republics by the same designations; and

(b) for the Union of Soviet Socialist Republics, missiles of the types designated by the Union of Soviet Socialist Republics as the RSD-10, the R-12 and the R-14, which are known to the United States of America as the SS-20, the SS-4 and the SS-5, respectively.

2. For the purposes of this Treaty, existing types of shorter-range missiles are:

(a) for the United States of America, missiles of the type designated by the United States of America as the Pershing IA, which is known to the Union of Soviet Socialist Republics by the same designation; and

(b) for the Union of Soviet Socialist Republics, missiles of the types designated by the Union of Soviet Socialist Republics as the OTR-22 and the OTR-23, which are known to the United States of America as the SS-12 and the SS-23, respectively.

Comment:

On the assumption that the SSC-X-4 was at more or less the same early stage of development as the U.S. Pershing IB, the U.S. consented to have the Treaty treat these two missiles in the same fashion, different from the treatment of the "existing" items. The information about the SSC-X-4 in the Memorandum of Understanding -- that 84 SSC-X-4 missiles and six launchers have been produced and are located at a storage facility -- suggests that that assumption was erroneous.

This evident intelligence error raises questions about our ability to monitor the subject matter of the Treaty. How do we know that the 84 SSC-X-4 missiles that the Soviets have acknowledged are all the SSC-X-4 missiles that they possess? For that matter, what confidence do we have about the accuracy and completeness of the other data supplied by the Soviets? See comments on the Memorandum of Understanding.

Is there any significance to the difference between those inspection provisions applicable to the systems "never deployed" (i.e., Pershing IB and SSC-X-4) and those applicable to "existing" (i.e., deployed) items? See Article X.6.

ARTICLE IV - ELIMINATION SCHEDULE (Intermediate-Range Systems) Article IV, Paragraph 1

Each Party shall eliminate all its intermediate-range missiles and launchers of such missiles, and all support structures and support

equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers, so that no later than three years after entry into force of this Treaty and thereafter no such missiles, launchers, support structures or support equipment shall be possessed by either Party.

Comment:

The Treaty says that all Treaty-limited systems are to be "eliminated," and no such systems are to be "possessed" by either Party after three years. The actual obligation of the Parties, however, is to follow certain "elimination" procedures, custom designed for each banned item, and such procedures amount only to alteration rather than elimination of several Soviet launchers.

Whereas the "elimination" procedures for all Treaty-limited U.S. systems will ensure that such systems are reduced to scrap, the procedures for several Treaty-limited Soviet launchers have been designed to allow the "eliminated" launchers to be used for other purposes. Given that these "eliminated" Soviet launchers will be permitted to operate throughout the Soviet Union, the question is whether, even if we observe them through overhead reconnaissance, we have the capability of ascertaining whether the alterations have been reversed so as to allow the item to perform a prohibited function.

It may be that the Soviets would find it easier to produce a new launcher from "scratch" than to undo the elimination procedures on an old launcher. This raises the question: Do we have any confidence that we would detect clandestine production of Treaty-limited launchers? See comments on Article VI, Paragraph 1.

Some of the Treaty's language implies a greater comprehensiveness of its scope than is, in fact, the case. In drafting the Memorandum of Understanding, the Parties excluded from the list of items to be eliminated certain elements of an INF capability -- certain facilities and equipment -- that can be used for other purposes, too. With respect to the U.S. facilities and equipment being so spared, this seems a sensible, financially responsible measure. The United States can be expected to fulfill its obligations under the Treaty not to retain an INF capability, and will not put such items to prohibited uses. The exclusion, however, may on the Soviets' side facilitate the concealment of Treaty violations or may enhance their ability to effect a rapid "break-out." For example, the Treaty allows the Soviets to retain without alteration SS-20-related multiple-bay garages and support structures for shorter-range missiles.

Each exclusion from the elimination schedule, gerrymandered definition, and exception to the non-production rule may seem minor in itself, but taken together such provisions mean that the Soviets, even without violating the Treaty, can remain rather close to a militarily significant INF capability. And the violations that would be required to maintain an INF capability are less extensive (and thus easier to conceal) than the Treaty's comprehensive language leads one to believe.

ARTICLE V - ELIMINATION SCHEDULE (SRMs)

Article V, Paragraph 1

Each Party shall eliminate all its shorter-range missiles and launchers of such missiles, and all support equipment of the categories listed in the Memorandum of Understanding associated with such

missiles and launchers, so that no later than 18 months after entry into force of this Treaty and thereafter no such missiles, launchers or support equipment shall be possessed by either Party.

Comment:

Regarding the possible significance of this Article's failure to mention the elimination of support structures for shorter-range missiles, see comments on Article IV, Paragraph 1.

ARTICLE VI - COLLATERAL CONSTRAINTS

Article VI, Paragraph 1

Upon entry into force of this Treaty and thereafter, neither Party shall:

(a) produce or flight-test any intermediate-range missiles or produce any stages of such missiles or any launchers of such missiles; or

(b) produce, flight-test or launch any shorter-range missiles or produce any stages of such missiles or any launchers of such missiles.

Comment:

The ability of the Intelligence Community (IC) to monitor Soviet performance under the terms of this provision and the Treaty in general is a major issue. In this connection, the following questions, among others, must be addressed:

Can the IC accurately represent that it knows the location of all the facilities that have been used to produce the Soviets' Treaty-limited systems? Would it know if the Soviets actually began production of banned items at other facilities? Would it know if the Soviets created the capability at other facilities to begin production of banned items?

To what extent could permitted SS-25 production and testing mask or substitute for SS-20 production/testing?

It has been argued that this Article's prohibition of flight-testing serves to guarantee against covert deployment of the SS-20. The contention is that without flight-testing the Soviets would have no confidence in the reliability of their missiles and therefore would not deploy them. But our experience with the SS-16 missile, deployment and flight-testing of which were banned under SALT II, argues to the contrary. According to the Administration, the SS-16 was probably deployed over a long period of time even though we detected no flight tests.

It is also presumably the case that the Soviets will be able to obtain useful reliability information from the permitted launches to destruction and static fire burns prescribed by the Treaty's elimination provisions.

Furthermore, flight tests of the SS-25 will provide the Soviets some data relevant to the SS-20 because the first stages of those two missiles are essentially identical. Indeed, the Soviet Union's ability to use their unregulated SS-25 program as a vehicle for getting around the prohibitions of the INF Treaty or concealing violations of the Treaty is an intractable problem which arises repeatedly throughout this agreement. Some have sought to minimize the gravity of this issue by contending that the Soviets have little incentive to maintain a prohibited, concealed SS-20 capability because the SS-25s themselves, which

are not prohibited, can perform the same military function as the SS-20 does.

This argument ignores, however, the possibility that the Soviets may value highly the specialized characteristics of the SS-20 -- in particular, its multiple warheads, high accuracy, and short time of flight. Such considerations may constitute ample incentive for the Soviets to exploit opportunities to maintain an SS-20 capability despite the Treaty. Also, if a START agreement is concluded, limiting or banning SS-25s and other strategic systems, the Soviets' incentives to violate the INF Treaty would increase substantially.

Article VI, Paragraph 2

Notwithstanding paragraph 1 of this Article, each Party shall have the right to produce a type of GLBM not limited by this Treaty which uses a stage which is outwardly similar to, but not interchangeable with, a stage of an existing type of intermediate-range GLBM having more than one stage, providing that that Party does not produce any other stage which is outwardly similar to, but not interchangeable with, any other stage of an existing type of intermediate-range GLBM.

Comment:

This provision attempts to address the problem caused by the fact that the Treaty-limited SS-20 and the unlimited SS-25 ICBMs have first stages that are so similar that no practical inspection regime would be able to distinguish them. As a result of this provision, the Soviet Union will be allowed to produce first stages that are "outwardly similar to" the SS-20 first stage, thereby vitiating somewhat the general prohibition on production of any intermediate-range missile stage in paragraph 1. Although the Soviets say such stages are "not interchangeable with" SS-20 first stages, the absence of any definition of that phrase makes it meaningless.

Furthermore, it is unclear how -- if at all -- this Article would affect a future intermediate-range missile that might be developed using the first two stages of the SS-25 (just as the first two stages of the SS-16 gave rise to the SS-20). Could the development, testing and production of such a system be concealed using the SS-25 program as "cover"? In any event, it will be difficult for the U.S. to determine whether anomalous activities within the SS-25 program indicated a surreptitious intermediate-range missile development program.

This paragraph contains a noteworthy drafting error. Read literally, it permits the production of an "SS-25" second stage that is "outwardly similar to, and interchangeable with" the second stage of an SS-20. This problem arises because the paragraph begins with a "notwithstanding" clause that overrides the general prohibition on intermediate-range missile stage production of paragraph 1. This point should be clarified with the Soviets. What the last clause of the Paragraph meant to say (and should be revised to reflect) is: "... provided that that Party does not produce any other stage which is either outwardly similar to, or interchangeable with, any other stage of an existing type of intermediate-range GLBM."

ARTICLE VII - COUNTING RULES

As was pointed out in the comments on Article II, the Article VII counting rules have an important bearing on the definitions of key Treaty terms, and analysis of these rules should take into

account both their suitability in the context of this INF Treaty and also the implications of their use as precedents for a START Treaty.

Article VII, Paragraphs 1 & 2

For the purposes of this Treaty:

1. If a ballistic missile or a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.
2. If a GLBM or GLCM is an intermediate-range missile, all GLBMs or GLCMs of that type shall be considered to be intermediate-range missiles. If a GLBM or GLCM is a shorter-range missile, all GLBMs or GLCMs of that type shall be considered to be shorter-range missiles.

Comment:

The Treaty does not define the word "type." This suggests that the Parties were unable to arrive at a common understanding of the term. In light of the controversy relating to whether the SS-25 is a new type of ICBM, and thus a violation of SALT II, it is important that the sides not hold to inconsistent definitions of so critical a term.

In the absence of such a definition it is impossible to know how different a new missile must be from a Treaty-limited missile in order for that new missile to be excluded from the Treaty's prohibitions (i.e., in order for the new missile to be considered either (1) not a weapon-delivery vehicle, or (2) not a vehicle of intermediate- or shorter-range).

Article VII, Paragraph 3

If a GLBM is of a type developed and tested solely to intercept and counter objects not located on the surface of the earth, it shall not be considered to be a missile to which the limitations of this Treaty apply.

Comment:

The following questions arise from this provision:

With what effectiveness could a missile now designed for ABM, ATBM, or anti-air purposes be used in a ground-to-ground, weapon-delivery mode?

Could the Soviets develop a new intermediate-range or shorter-range missile in the guise of an ABM, ATBM, or anti-air missile?

Article VII, Paragraph 4

The range capability of a GLBM not listed in Article III of this Treaty shall be considered to be the maximum range to which it has been tested. The range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance which can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact. GLBMs or GLCMs

that have a range capability equal to or in excess of 500 kilometers but not in excess of 1000 kilometers shall be considered to be shorter-range missiles. GLBMs or GLCMs that have a range capability in excess of 1000 kilometers but not in excess of 3500 kilometers shall be considered to be intermediate-range missiles.

Comment:

The counting rule for GLBM range capability provides a significant loophole: a new GLBM could be tested to 490 km in a non-minimum-energy trajectory and thus would have much greater actual range. The U.S. would have no grounds to object to such a system, even though it would unquestionably have the ability to strike targets over 500 km away.

The counting rule for GLCM range is taken from the SALT II Treaty (Article II.8, 2nd Agreed Statement). As Secretary Vance's published analysis of SALT II (Document 12B, p.19) makes clear, the U.S. interpretation of this definition was not confirmed by the Soviets. Was there, in the course of the INF negotiations, any agreement on the meaning of "flying to fuel exhaustion"?

In any event, this provision is not verifiable. If we observed a new Soviet GLCM flying 490 km in a test, how would we be able to know how much fuel it had on board when the flight was terminated? Replacing a large conventional warhead on such a GLCM with a small nuclear warhead would allow it to fly INF ranges -- even if the fuel would have been exhausted carrying the first payload to only 490 km.

Article VII, Paragraphs 7 & 8

7. If a launcher has been tested for launching a GLBM or a GLCM, all launchers of that type shall be considered to have been tested for launching GLBMs or GLCMs.

8. If a launcher has contained or launched a particular type of GLBM or GLCM, all launchers of that type shall be considered to be launchers of that type of GLBM or GLCM.

Comment:

Is there any engineering or mechanical reason why the launcher for the SS-25 could not be used to launch an SS-20? Do we know whether any such launcher has ever been used for this purpose -- including during development of the SS-25?

If an SS-25 launcher during development testing carried an SS-20 canister, it would be captured by the counting rule in Paragraph 8. Can we be certain no such launcher ever did?

Article VII, Paragraph 10

Except in the case of elimination in accordance with the procedures set forth in the Protocol on Elimination, the following shall apply:

(a) for GLBMs which are stored or moved in separate stages, the longest stage of an intermediate-range or shorter-range GLBM shall be counted as a complete missile;

(b) for GLBMs which are not stored or moved in separate stages, a canister of the type used in the

launch of an intermediate-range GLBM, unless a Party proves to the satisfaction of the other Party that it does not contain such a missile, or an assembled intermediate-range or shorter-range GLBM, shall be counted as a complete missile; and (c) for GLCMs, the airframe of an intermediate-range or shorter-range GLCM shall be counted as a complete missile.

Comment:

Because the first stage of an SS-25 is externally indistinguishable from that of an SS-20, the counting rules for U.S. missiles differ from those for Soviet missiles. They impose a more rigorous standard on the U.S. side (the largest stage of the Pershing II missile alone counts as a full-up missile) than on the Soviet side (only a full-up Soviet missile -- or its canister -- counts as a missile).

The difference between the counting rules for U.S. missiles and those for Soviet missiles affects the relative values of U.S. and Soviet inspection rights under the Treaty. Because of these counting rules, the U.S. side's rights to conduct continuous monitoring of a Soviet production facility apply only to a Soviet final assembly plant. The corresponding rights of the Soviets, however, apply to a U.S. plant that actually manufactures missile stages. (For further discussion of this point, see Article XI, Paragraph 6.) This means that the Soviet facilities that now manufacture SS-20 second stages (or first stages for that matter) are not subject to monitoring by the United States under the Treaty.

Given that the Treaty effectively permits the Soviets to continue manufacturing first stages of the two-stage SS-20 (see Article VI, Paragraph 2), it is not a minor matter that we have no inspection rights at all at whatever facilities manufacture SS-20 stages.

ARTICLE VIII - SITING LIMITATIONS

Article VIII, Paragraphs 1, 2 and 3

1. All intermediate-range missiles and launchers of such missiles shall be located in deployment areas, at missile support facilities or shall be in transit. Intermediate-range missiles or launchers of such missiles shall not be located elsewhere.
2. Stages of intermediate-range missiles shall be located in deployment areas, at missile support facilities or moving between deployment areas, between missile support facilities or between missile support facilities and deployment areas.
3. Until their removal to elimination facilities as required by paragraph 2 of Article V of this Treaty, all shorter-range missiles and launchers of such missiles shall be located at missile operating bases, at missile support facilities or shall be in transit. Shorter-range missiles or launchers of such missiles shall not be located elsewhere.

Comment:

This Article describes where intermediate-range and shorter-range missiles and launchers shall be located during the period between entry into force and the end of the elimination period. These requirements raise the following questions:

Will we be able to tell that Treaty-limited items are not located elsewhere? For example, could they be stored without risk of detection in warehouses or other installations? Do we know that all areas in the Soviet Union where operational missiles exist have been identified by the Soviets as "deployment areas?"

How many intermediate-range missiles have the Soviets produced? How confident are we in our estimate?

Article VIII, Paragraph 5

All deployment areas, missile operating bases and missile support facilities are specified in the Memorandum of Understanding or in subsequent updates of data pursuant to paragraphs 3, 5(a) or 5(b) of Article IX of this Treaty. Neither Party shall increase the number of, or change the location or boundaries of, deployment areas, missile operating bases or missile support facilities, except for elimination facilities, from those set forth in the Memorandum of Understanding. A missile support facility shall not be considered to be part of a deployment area even though it may be located within the geographic boundaries of a deployment area.

Comment:

If the Soviets have continued after November 1, 1987 to maintain SS-20s or support equipment at any missile support facility previously associated with these missiles but not listed in the MOU, they would be in violation of this provision. Is there evidence that any such items continued to be present at any such facility after November 1, 1987?

Article VIII, Paragraph 6

Beginning 30 days after entry into force of this Treaty, neither Party shall locate intermediate-range or shorter-range missiles, including stages of such missiles, or launchers of such missiles at missile production facilities, launcher production facilities or test ranges listed in the Memorandum of Understanding.

Comment:

The word "locate" in this provision seems to mean "to allow something to be at a location." On the other hand, it could be read to mean "to move something to a location." This point should be clarified by the Parties especially if consideration is being given to creating a parallel provision in START.

Article VIII, Paragraph 8

A non-deployed intermediate-range or shorter-range missile shall not be carried on or contained within a launcher of such a type of missile, except as required for maintenance conducted at repair facilities or for elimination by means of launching conducted at elimination facilities.

Comment:

This provision seems altogether unmonitorable. And, in any event, even if we were to detect an apparent violation, the loophole (viz., "except as required for maintenance conducted at

repair facilities ... ") would make it impossible to establish the point. Is it clear that, for purposes of this provision, a missile can be placed on its launcher only at a repair facility?

Article VIII, Paragraph 9

Training missiles and training launchers for intermediate-range or shorter-range missiles shall be subject to the same locational restrictions as are set forth for intermediate-range and shorter-range missiles and launchers of such missiles in paragraphs 1 and 3 of this Article.

Comment:

This provision contains the Treaty's first reference to "training" missiles and launchers. No definition or clarification of such terms is provided in Article II, Article VII, or elsewhere. Have the Parties agreed that training missiles must be inert -- i.e., without propellant? If all missiles must be either deployed or non-deployed, where do training assets fit in? How will we be able to tell the difference between such missiles and "real" ones. This point is particularly important in light of last-minute Soviet reallocation of a number of deployed SS-20s into the training category.

ARTICLE IX - DATA AND RELATED NOTIFICATIONS

Article IX, Paragraph 1

The Memorandum of Understanding contains categories of data relevant to obligations undertaken with regard to this Treaty and lists all intermediate-range and shorter-range missiles, launchers of such missiles, and support structures and support equipment associated with such missiles and launchers, possessed by the Parties as of November 1, 1987. Updates of that data and notifications required by this Article shall be provided according to the categories of data contained in the Memorandum of Understanding.

Comment:

The quality of the data contained in the MOU is fundamental to the viability of this Treaty. If such data represent only a portion of the actual Soviet force then the remainder of that force will not be subject to any of the inspection provisions. Issues that need to be explored include: the quality of our intelligence; the likelihood that actual Soviet capabilities are higher; the significance of apparently wide discrepancies in the number of refire missiles associated with each of the several Soviet systems limited by the Treaty; and the extent to which our estimates are being altered on the basis of Soviet-supplied information (despite the fact that the factors which gave rise to these estimates in the first place do not appear to have changed).

Article IX, Paragraph 3

No later than 30 days after entry into force of this Treaty, each Party shall provide the other Party with updated data, as of the date of entry into force of this Treaty, for all categories of data contained in the Memorandum of Understanding.

Comment:

The United States insisted on reviewing before Treaty signature -- and retaining the right to reject -- the data provided for in the MOU. The data in the MOU, however, are not the data that form the basis of the Parties' obligations under the Treaty. The data that really count are those to be exchanged by the Parties 30 days after the Treaty's entry into force; the Treaty does not afford us the right to reject Soviet data supplied at that time. In fact, if the United States is unsatisfied with the information provided in the data update -- e.g., if we judge the Soviets to be understating their INF force -- and the Soviets fail to convince us of the accuracy of their new data, then the United States would have no effective recourse. As a practical matter, we would feel compelled to continue to fulfill our obligations under the Treaty.

Under Article X.8, the Soviets will be allowed to remove missile support facilities and operating bases from this data base if they claim to have accomplished certain elimination procedures by the date of entry into force of the Treaty. Since there is no prohibition against eliminating Treaty-limited items during this period, the Soviets may choose to remove missiles and launchers from the updated data base contending that they have been eliminated. However, we will not have any inspection rights with regard to such missiles and hence will not be certain that they have, in fact, been eliminated. It is, moreover, unclear whether the Soviets would be obligated to follow the procedures in the Protocol on Elimination with respect to systems eliminated during this period.

Two of the advertised verification strengths of the Treaty are the agreement on data before Treaty signature (as reflected in the MOU) and the inspection rights applicable to the elimination of Treaty-prohibited items. In light of the foregoing paragraph, one cannot reach a judgment on the contribution these "strengths" make to the Treaty's verification regime until we have received the updated data from the Soviets 30 days after the Treaty's entry into force. In order to minimize the problem, the United States could insist upon a commitment from the Soviets either that, should they eliminate Treaty-limited systems prior to entry into force, they will follow the provisions of the Protocols on Elimination and Inspection or that they will refrain from such eliminations until the Treaty enters into force.

Article IX, Paragraph 5

Upon entry into force of this Treaty and thereafter, each Party shall provide the following notifications to the other Party:

(f) notification of transit of intermediate-range or shorter-range missiles or launchers of such missiles, or the movement of training missiles or training launchers for such intermediate-range and shorter-range missiles, no later than 48 hours after it has been completed, including:

- (i) the number of missiles or launchers;
- (ii) the points, dates and times of departure and arrival;
- (iii) the mode of transport; and
- (iv) the location and time at that location

at least once every four days during the period of transit.

Comment:

It should be noted that the provision on notification of transit is not as valuable as it might have been, since it does not require that notification be given until 48 hours after the transit is completed.

ARTICLE X - ELIMINATION PROVISIONS

Article X, Paragraph 1

Each Party shall eliminate its intermediate-range and shorter-range missiles and launchers of such missiles and support structures and support equipment associated with such missiles and launchers in accordance with the procedures set forth in the Protocol on Elimination.

Comment:

Unlike Article VI (production) and Article VIII (location of Treaty-limited items), this paragraph does not specifically apply its terms to the stages of Treaty-limited missiles. Section I.3 of the Protocol on Elimination does state that "all stages of intermediate-range and shorter-range GLBMs shall be subject to elimination." It might be argued, however, that this Protocol language applies only to the stages of full-up missiles that are listed in the updated data base and whose elimination is observable pursuant to the Treaty's inspection provisions. That reading would allow the Soviets to separate, before the Treaty's entry into force, the two stages of the SS-20 and retain the separated stages indefinitely. This would greatly facilitate the reconstitution of a Soviet INF capability.

To fix this problem, the Parties could agree to add to Paragraph 1 the words "and stages of such missiles" after the phrase "intermediate-range and shorter-range missiles."

Article X, Paragraph 5

Each Party shall have the right, during the first six months after entry into force of this Treaty, to eliminate by means of launching no more than 100 of its intermediate-range missiles.

Comment:

This provision was included because the Soviets insisted that they would otherwise be unable to eliminate all their intermediate-range missiles within the allowed period. The Intelligence Community should assess whether any benefit might accrue to the Soviets in terms of establishing a useful data base on SS-20 reliability. (See comments on Article VI, Paragraph 1). Does the U.S. expect to destroy any of its intermediate-range missiles by launching them?

Article X, Paragraph 6

Intermediate-range and shorter-range missiles which have been tested prior to entry into force of this Treaty, but never deployed, and which are not existing types of intermediate-range or shorter-range missiles listed in Article III of this Treaty, and launchers of such missiles, shall be eliminated within six months after entry into

force of this Treaty in accordance with the procedures set forth in the Protocol on Elimination. Such missiles are:

(a) for the United States of America, missiles of the type designated by the United States of America as the Pershing IB, which is known to the Union of Soviet Socialist Republics by the same designation; and

(b) for the Union of Soviet Socialist Republics, missiles of the type designated by the Union of Soviet Socialist Republics as the RK-55, which is known to the United States of America as the SSC-X-4.

Comment:

The significance of this paragraph is discussed in the comments on Article III.

Article X, Paragraph 7

Intermediate-range and shorter-range missiles and launchers of such missiles and support structures and support equipment associated with such missiles and launchers shall be considered to be eliminated after completion of the procedures set forth in the Protocol on Elimination and upon the notification provided for in paragraph 5(e) of Article IX of this Treaty.

Comment:

This paragraph makes it clear that the term "elimination" in the Treaty does not mean elimination in the common sense of the term but rather fulfillment of the elimination procedures set forth in the Protocol on Elimination. The adequacy of such procedures was called into question in the comments on Articles II and IV.1.

Article X, Paragraph 8

Each Party shall eliminate its deployment areas, missile operating bases and missile support facilities. A Party shall notify the other Party pursuant to paragraph 5(a) of Article IX of this Treaty once the conditions set forth below are fulfilled:

(a) all intermediate-range and shorter-range missiles, launchers of such missiles and support equipment associated with such missiles and launchers located there have been removed;

(b) all support structures associated with such missiles and launchers located there have been eliminated; and

(c) all activity related to production, flight-testing, training, repair, storage or deployment of such missiles and launchers has ceased there.

Such deployment areas, missile operating bases and missile support facilities shall be considered to be eliminated either when they have been inspected pursuant to paragraph 4 of Article XI of this

Treaty or when 60 days have elapsed since the date of the scheduled elimination which was notified pursuant to paragraph 5(a) of Article IX of this Treaty. A deployment area, missile operating base or missile support facility listed in the Memorandum of Understanding that met the above conditions prior to entry into force of this Treaty, and is not included in the initial data exchange pursuant to paragraph 3 of Article IX of this Treaty, shall be considered to be eliminated.

Comment:

This provision must be read in conjunction with Article XI.5(b), which deals with the inspection of former missile operating bases and support facilities. It opens the door to the possibility that facilities which currently have a role in Treaty-limited activities can be exempted from inspection if the Party claims to have fulfilled the three conditions listed and hence omits them from the data exchange which must be made 30 days after entry into force.

Are all the conditions listed in subparagraphs (a)-(c) discernible by national technical means of verification? If not, how will we have confidence that facilities known to be associated with Treaty-limited activities meet these conditions before entry into force? If so, what is the perceived need for close-out inspections at facilities eliminated after entry into force?

Article X, Paragraph 9

If a Party intends to convert a missile operating base listed in the Memorandum of Understanding for use as a base associated with GLBM or GLCM systems not subject to this Treaty, then that Party shall notify the other Party, no less than 30 days in advance of the scheduled date of the initiation of the conversion, of the scheduled date and the purpose for which the base will be converted.

Comment:

It seems intended, but is not made explicit, that a missile operating base must be "eliminated" before it can be converted for the use of a non-limited GLBM or GLCM. This possible ambiguity takes on special importance given that the Treaty allows the Soviets to retain such structures as multi-bay garages and other SS-20-related items at "eliminated" operating bases.

ARTICLE XI - VERIFICATION: INSPECTION PROVISIONS

The utility of this inspection regime is limited by the fact that it does not provide any right to conduct short-notice, on-site inspections at suspect sites, i.e., sites other than declared (or formerly declared) facilities. Thus, all of the effort described in this article is directed only at those places that the Soviets have in fact listed and thus chosen to make subject to inspection.

Article XI, Paragraph 3

Beginning 30 days after entry into force of this Treaty, each Party shall have the right to conduct inspections at all missile operating bases and missile support facilities specified in the Memorandum of Understanding other than missile production facilities, and at all elimination

facilities included in the initial data update required by paragraph 3 of Article IX of this Treaty. These inspections shall be completed no later than 90 days after entry into force of this Treaty. The purpose of these inspections shall be to verify the number of missiles, launchers, support structures and support equipment and other data, as of the date of entry into force of this Treaty, provided pursuant to paragraph 3 of Article IX of this Treaty.

Comment:

If a facility is not included in the updated data base to be provided 30 days after the Treaty's entry into force (which Article X.8 says it need not be if it is "eliminated" prior to entry into force), do we still have the right to inspect it? On the one hand, this provision is said to apply to all facilities listed in the Memorandum of Understanding, but, on the other, the purpose of the inspections it authorizes is said to be the verification of the data in the updated data base. A related ambiguity is discussed under paragraph 5(b) of this Article.

Article XI, Paragraph 5

Each Party shall have the right to conduct inspections pursuant to this paragraph for 13 years after entry into force of this Treaty. Each Party shall have the right to conduct 20 such inspections per calendar year during the first three years after entry into force of this Treaty, 15 such inspections per calendar year during the subsequent five years, and ten such inspections per calendar year during the last five years. Neither Party shall use more than half of its total number of these inspections per calendar year within the territory of any one basing country. Each Party shall have the right to conduct:

(a) inspections, beginning 90 days after entry into force of this Treaty, of missile operating bases and missile support facilities other than elimination facilities and missile production facilities, to ascertain, according to the categories of data specified in the Memorandum of Understanding, the numbers of missiles, launchers, support structures and support equipment located at each missile operating base or missile support facility at the time of the inspection; and

(b) inspections of former missile operating bases and former missile support facilities eliminated pursuant to paragraph 8 of Article X of this Treaty other than former missile production facilities.

Comment:

Subparagraph (b) provides the right to inspect former missile operating bases and support facilities "eliminated pursuant to paragraph 8 of Article X." This right constitutes a major element of the entire inspection regime. Its value, however, could be severely limited depending on how one interprets the ambiguous term "pursuant to." In particular, the question is: Is a site that has been "considered to be eliminated" under the last sentence of Article X.8 *ipso facto* deemed eliminated "pursuant to" that paragraph? If not, then the Soviets can severely limit the value of this inspection right by "eliminating" as many sites as possible prior to entry into force of the Treaty. This problem

would be solved if the Parties agreed to add the following sentence to the end of subparagraph (b): "Any site considered to be eliminated under Article X, Paragraph 8 shall be deemed eliminated pursuant to Article X, Paragraph 8."

This section's negotiating history needs to be carefully reviewed. In particular, what is the rationale for the diminishing quota of inspections?

Article XI, Paragraph 6

Beginning 30 days after entry into force of this Treaty, each Party shall have the right, for 13 years after entry into force of this Treaty, to inspect by means of continuous monitoring:

(a) the portals of any facility of the other Party at which the final assembly of a GLBM using stages, any of which is outwardly similar to a stage of a solid-propellant GLBM listed in Article III of this Treaty, is accomplished; or

(b) if a Party has no such facility, the portals of an agreed former missile production facility at which existing types of intermediate-range or shorter-range GLBMs were produced.

The Party whose facility is to be inspected pursuant to this paragraph shall ensure that the other Party is able to establish a permanent continuous monitoring system at that facility within six months after entry into force of this Treaty or within six months of initiation of the process of final assembly described in subparagraph (a). If, after the end of the second year after entry into force of this Treaty, neither Party conducts the process of final assembly described in subparagraph (a) for a period of 12 consecutive months, then neither Party shall have the right to inspect by means of continuous monitoring any missile production facility of the other Party unless the process of final assembly as described in subparagraph (a) is initiated again. Upon entry into force of this Treaty, the facilities to be inspected by continuous monitoring shall be: in accordance with subparagraph (b), for the United States of America, Hercules Plant Number 1, at Magna, Utah; in accordance with subparagraph (a), for the Union of Soviet Socialist Republics, the Votkinsk Machine Building Plant, Udmurt Autonomous Soviet Socialist Republic, Russian Soviet Federative Socialist Republic.

Comment:

This provision establishes the asymmetrical monitoring rights discussed in connection with Article VI.2 and VII.10.

ARTICLE XII - VERIFICATION: NATIONAL TECHNICAL MEANS

Article XII, Paragraph 2

Neither Party shall:

(a) interfere with national technical means of verification of the other Party ...; or

(b) use concealment measures which impede verification of compliance with the provisions of this Treaty by national technical means of verification carried out in accordance with paragraph 1 of this Article. This obligation does not apply to cover or concealment practices, within a deployment area, associated with normal training, maintenance and operations, including the use of environmental shelters to protect missiles and launchers.

Comment:

Given the fact that the Soviets have in the past not complied with the corresponding non-interference provisions of other treaties, there is reason to doubt the value of this provision.

Article XII, Paragraph 3

To enhance observation by national technical means of verification, each Party shall have the right until a Treaty between the Parties reducing and limiting strategic offensive arms enters into force, but in any event for no more than three years after entry into force of this Treaty, to request the implementation of cooperative measures at deployment bases for road-mobile GLBMs with a range capability in excess of 5500 kilometers, which are not former missile operating bases eliminated pursuant to paragraph 8 of Article X of this Treaty. The Party making such a request shall inform the other Party of the deployment base at which cooperative measures shall be implemented. The Party whose base is to be observed shall carry out the following cooperative measures:

(a) no later than six hours after such a request, the Party shall have opened the roofs of all fixed structures for launchers located at the base, removed completely all missiles on launchers from such fixed structures for launchers and displayed such missiles on launchers in the open without using concealment measures; and

(b) the Party shall leave the roofs open and the missiles on launchers in place until twelve hours have elapsed from the time of the receipt of a request for such an observation.

Each Party shall have the right to make six such requests per calendar year. Only one deployment base shall be subject to these cooperative measures at any one time.

Comment:

We can expect that this provision will be hailed as a major accomplishment in the field of cooperative verification measures. While it does represent a new approach -- one designed to obviate on-site inspection of certain suspect facilities -- it does not under the circumstances accomplish its purpose, namely to allow us to monitor SS-25 bases to check whether SS-20s have been deployed there in violation of the Treaty. But Subparagraph 3(a) in effect affords the Soviets six hours in which to remove from a challenged site any illegally deployed SS-20s. Given that the SS-20 is a mobile missile designed to be movable upon short notice, it is unreasonable to suppose that, if the Soviets decided to cheat in

this manner, they would not be able to effect a timely removal of the SS-20s after a challenge.

Other issues that merit attention in this regard include:

What is the value of this provision relative to the value of the short-notice, on-site inspection regime the United States was proposing up till the final days of the Treaty negotiations? It is noteworthy that, although the United States in the INF negotiations dropped its insistence on on-site inspection of suspect facilities, the Gorbachev-Reagan Summit Statement commits the Soviets to agree to procedures for such inspections in the START agreement. With this commitment in hand, perhaps the United States can now find a way to use it to strengthen the verification regime in the INF Treaty.

Does the negotiating record reflect some understanding about what a fixed structure for a launcher is, and indicate what would happen in the event new fixed structures for launchers appeared which did not have openable roofs? Is it physically possible for the Soviets to open the roofs of all fixed structures at SS-25 bases which are capable of containing SS-20 launchers? What about maintenance facilities, other garages, etc. in which a launcher could be located?

Does the Soviet obligation to show us the "missiles" on SS-25 launchers mean simply that we will be allowed to observe the SS-25 canister which will be judged (applying the standard INF Treaty counting rules) to contain an SS-25 and not an SS-20, or does it constitute an obligation to display the missiles removed from their canisters? If not, what value would this provision have as an aid to verification?

ARTICLE XIII - RESOLUTION OF COMPLIANCE ISSUES

Article XIII, Paragraph 1

To promote the objectives and implementation of the provisions of this Treaty, the Parties hereby establish the Special Verification Commission. The Parties agree that, if either Party so requests, they shall meet within the framework of the Special Verification Commission to:

(a) resolve questions relating to compliance with the obligations assumed; and

(b) agree upon such measures as may be necessary to improve the viability and effectiveness of this Treaty.

Comment:

Given the poor record of the Standing Consultative Commission established under SALT I in resolving serious concerns about Soviet violations of past treaties, it is unclear on what basis one should expect the Special Verification Commission established by this paragraph to do better.

It is also unclear what types of "measures ... to improve the viability and effectiveness of the Treaty" are envisioned that the parties will agree upon pursuant to subparagraph 1(b). It should be ascertained whether this provision can be used to circumvent the amendment process (described in Article XVI), which properly requires that any proposed amendments to the Treaty be submitted to the Senate for its advice and consent.

ARTICLE XIV - NON-CIRCUMVENTION

The Parties shall comply with this Treaty and shall not assume any international obligations or undertakings which would conflict with its provisions.

Comment:

The fundamental question about this provision is: Does it create any obligations over and above those contained in other parts of the Treaty? If not, then it merely emphasizes the Parties' commitment to comply with the Treaty, and, from a legal point of view, is surplusage. We assume that the Administration takes the latter position. However, under international law, if there is a question regarding the interpretation of a Treaty provision, then a reading which entails the creation of an additional obligation of the Parties is presumed correct as opposed to one that regards it as redundant (or "surplusage"). Consequently, if the Administration regards this provision as surplusage, then it must be clearly established now that the parties deem it as such in order to defeat the legal presumption that would otherwise apply. If this is not accomplished, then the provision could be cited as barring various Western defense efforts that, while not prohibited by the Treaty's terms, are said to be somehow "in conflict with" them.

ARTICLE XV - DURATIONArticle XV, Paragraph 1

This Treaty shall be of unlimited duration.

Comment:

Although the Treaty is of unlimited duration, the inspection rights it grants last for only 13 years (3 years in the case of the verification enhancement provisions relative to SS-25 bases, possibly less for portal monitoring at Votkinsk under certain circumstances). The working assumption seems to have been that a START Treaty would be signed within 3 years. Should a START Treaty not be signed in that period, should thought be given to ensuring that the verification regime for this Treaty will be extended?

ARTICLE XVI - Amendments

Each Party may propose amendments to this Treaty. Agreed amendments shall enter into force in accordance with the procedures set forth in Article XVII governing the entry into force of this Treaty.

Comment:

See the comment on Article XIII.1(b) concerning the potential uses of the Special Verification Commission to circumvent the requirement that all amendments be submitted to the Senate for its advice and consent.

SIGNATURE SECTION

DONE at Washington on December 8, 1987, in two copies, each in the English and Russian languages, both texts being equally authentic.

Comment:

Given the haste with which the final texts were prepared, and in view of the significant difficulties we have had in the past with divergent translations being cited as a pretext for Soviet behavior we judged to be inconsistent with their commitments, a careful review of the consistency of the two texts is in order.

Postscript on THE PREAMBLE

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Conscious that nuclear war would have devastating consequences for all mankind,

Guided by the objective of strengthening strategic stability,

Convinced that the measures set forth in this Treaty will help to reduce the risk of outbreak of war and strengthen international peace and security, and

Have agreed as follows:

Though preambular language is often dismissed as having little significance, it can have a bearing on public attitudes about the subject matter of the Treaty and on questions of Treaty interpretation. It is troubling that the preamble here focuses on the threat of nuclear war rather than the threat of war in general. Any major European war would have devastating consequences. The focus on the special threat from nuclear weapons lends itself to use as a criticism of NATO's flexible response policy, which entails reliance on nuclear weapons as a deterrent against aggression.

The preamble implies that the elimination of nuclear weapons as such enhances strategic stability. This could have dangerous effects on attitudes toward the remaining nuclear weapons in Europe and toward strategic arms, all of which are critical to Alliance security -- indeed, more critical in the aftermath of the INF Treaty than before.

ELIMINATION PROTOCOL

INTRODUCTION

This protocol specifies the categories of items associated with Treaty-limited systems that the Parties agree to eliminate and the procedures that will be deemed to constitute "elimination." Two points merit particular attention: First, the Parties have agreed that not all the equipment or facilities associated with Treaty-limited missiles are to be eliminated. Second, they agreed that some of the items to be "eliminated" are not actually to be destroyed but simply modified or altered in designated ways so as to allow them to be used for other purposes.

SECTION ISection I, Paragraph 4

For both Parties, all stages of intermediate-range and shorter-range GLBMs shall be subject to elimination.

Comment:

Notwithstanding this provision, the Soviets are permitted by the Treaty (see Article VI.2) not only to retain but even to produce the first-stage of the intercontinental SS-25, which is virtually identical to that of the first stage of the SS-20. Article VI.2 of the Treaty vitiates this section of the Elimination Protocol as far as a key element of the most important Soviet INF system is concerned.

SECTION IISection II, Paragraph 3

Prior to a missile's arrival at the elimination facility, its nuclear warhead device and guidance elements may be removed.

Comment:

This provision spares from elimination the nuclear warheads of the Treaty-limited INF missile systems. Given the serious concerns on the U.S. side about whether there could be effective verification of nuclear warhead destruction and whether important net intelligence benefits would flow to the Soviets from measures to verify such destruction and, given the Parties' apparently mutual interest in recovering and recycling warhead materials, this provision seems on balance to be desirable.

Section II, Paragraph 4

Each Party shall select the particular technological means necessary to implement the procedures required in paragraphs 10 and 11 of this Section and to allow for on-site inspection of the conduct of the elimination procedures required in paragraph 10 of this Section in accordance with Article XI of the Treaty, this Protocol and the Protocol on Inspection.

Comment:

What is involved in allowing the inspected party to "select the technological means necessary ... to allow for on-site inspection of the conduct of the elimination procedures"? Is it clear that this right cannot be used to hinder the ability of the inspecting party to conduct a useful inspection?

Section II, Paragraph 7

A missile stage being eliminated by burning in accordance with the procedures set forth in paragraph 10 of this Section shall not be instrumented for data collection. Prior to the initiation of the elimination procedures set forth in paragraph 10 of this Section, an inspector from the inspecting Party shall confirm that such missile stages are not instrumented for data collection. Those missile stages shall be subject to continuous observation by such an inspector from the time of that inspection until the burning is completed.

Comment:

It is unclear whether we can have confidence that the Soviets are complying with this provision.

Section II, Paragraph 10

The specific procedures for the elimination of the items of missile systems listed in paragraph 1 of this Section shall be as follows, unless the Parties agree upon different procedures to achieve the same result as the procedures identified in this paragraph:

For the Pershing II:

* * *

Launcher:

(a) erector-launcher mechanism shall be removed from launcher chassis;

(b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size;

(c) missile launch support equipment, including external instrumentation compartments, shall be removed from launcher chassis; and

(d) launcher chassis shall be cut at a location that is not an assembly joint into two pieces of approximately equal size.

* * *

For the SS-20:

Launcher:

(a) erector-launcher mechanism shall be removed from launcher chassis;

(b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size;

(c) missile launch support equipment, including external instrumentation compartments, shall be removed from launcher chassis;

(d) mountings of erector-launcher mechanism and launcher leveling supports shall be cut off launcher chassis;

(e) launcher leveling supports shall be cut at locations that are not assembly joints into two pieces of approximately equal size; and

(f) a portion of the launcher chassis, at least 0.78 meters in length, shall be cut off aft of the rear axle.

Comment:

The procedures "eliminating" SS-20 and other Soviet launchers have been designed to leave them useful to a certain extent. They contrast with the elimination regime applicable to comparable U.S. systems (i.e., the Pershing I's and II's) which requires a cutting up of the systems into halves. The significance of this discriminatory arrangement is discussed in the comments on Article IV.1 of the Treaty.

PROTOCOL ON INSPECTION

INTRODUCTION

This protocol details the rights and responsibilities of the Parties with respect to the inspections called for in the INF Treaty and its associated documents.

SECTION III

Section III, Paragraph 7

Without prejudice to their privileges and immunities, inspectors and aircrew members shall be obliged to respect the laws and regulations of the State on whose territory an inspection is carried out and shall be obliged not to interfere in the internal affairs of that State. In the event the inspected Party determines that an inspector or aircrew member of the other Party has violated the conditions governing inspection activities set forth in this Protocol, or has ever committed a criminal offense on the territory of the inspected Party or a basing country, or has ever been sentenced for committing a criminal offense or expelled by the inspected Party or a basing country, the inspected Party making such a determination shall so notify the inspecting Party, which shall immediately strike the individual from the lists of inspectors or the list of aircrew members. If, at that time, the individual is on the territory of the inspected Party or a basing country, the inspecting Party shall immediately remove that individual from the country.

Comment:

There are two types of problems relating to this provision. First, the obligation of inspectors "to respect the laws and regulations of the [inspected] State" appears to offer the Soviets the opportunity to circumscribe narrowly the on-site activities of U.S. inspectors. Carrying out the legitimate functions of an inspection (e.g., demanding access to areas off-limits to individuals without necessary clearances) could be characterized as a failure to respect the laws and regulations of the inspected Party. Moreover, this paragraph permits the parties great latitude in deciding whether to expel an inspector.

Second, there is the larger question of ensuring that the inspectors will be able to operate in the Soviet Union in the intended manner and without personal risk. There have been problems in other contexts with Soviet treatment of U.S. (and other Western) inspectors (e.g., when Soviet troops in 1985 insisted on restricting the activity of -- and ultimately killing -- Major Nicholson, who was serving in East Germany as an inspector under the Four-Power Military Liaison Mission agreement which was concluded in the late 1940s). Have the Parties arrived at any understanding on how to resolve disputes about the proper bounds of the inspectors' activities so that incidents like the shooting of Major Nicholson will not occur?

SECTION IV

Section IV, Paragraph 5

Either Party may change the point or points of entry to the territories of the countries within which its deployment areas, missile operating bases or missile support facilities are located, by

giving notice of such change to the other Party. A change in a point of entry shall become effective five months after receipt of such notification by the other Party.

Comment:

This paragraph appears to give the Soviets the right to make a unilateral change in the point of entry into the German Democratic Republic. This issue -- a highly sensitive matter dating back to the earliest days of the Four Power occupation of Germany -- gave rise to particularly difficult negotiating during the last days of the INF Treaty negotiations. The result was Soviet agreement to name an airport other than Berlin-Schoenefeld (which the United States regards as a part of Berlin and hence subject to Four Power control) as the point of entry into the GDR. If the Soviets have given private assurances that they will not use this paragraph to change the point of entry to Berlin-Schoenefeld, it would be desirable to make them part of the record, lest this subject cause needless friction in the future between the FRG and its friends in the West.

SECTION V

Several paragraphs under Sections V and VI of this Protocol give the inspected Party wide powers to influence the inspection process, e.g., the right to appoint in-country escorts with wide powers; to control in-country transportation; to provide telephonic communications for the inspectors' use; to specify "safety regulations" that the inspectors must observe, etc.

Can the U.S. prevent the Soviets from exploiting these provisions to frustrate effective inspection? What lessons were learned about likely Soviet behavior in the course of such inspections from the visit to Gomel?

Section V, Paragraph 4

Equipment and supplies which the inspecting Party brings into the country in which an inspection site is located shall be subject to examination at the point of entry each time they are brought into that country. This examination shall be completed prior to the departure of the inspection team from the point of entry to conduct an inspection. Such equipment and supplies shall be examined by the in-country escort in the presence of the inspection team members to ascertain to the satisfaction of each Party that the equipment and supplies cannot perform functions unconnected with the inspection requirements of the Treaty. If it is established upon examination that the equipment or supplies are unconnected with these inspection requirements, then they shall not be cleared for use and shall be impounded at the point of entry until the departure of the inspection team from the country where the inspection is conducted. Storage of the inspecting Party's equipment and supplies at each point of entry shall be within tamper-proof containers within a secure facility. Access to each secure facility shall be controlled by a "dual key" system requiring the presence of both Parties to gain access to the equipment and supplies.

Comment:

Equipment and supplies brought in by inspection team may be examined by the "in-country escort" in order "to ascertain to the

satisfaction of each Party that [they] cannot perform functions unconnected with the inspection requirements of the Treaty. If it is established [query: by whom?] upon examination that the equipment or supplies are unconnected with these inspection requirements, then they shall not be cleared for use and shall be impounded...."

The Parties cannot intend that this language be taken literally. Any kind of inspection equipment can perform functions "unconnected" with the Treaty; e.g., a camera can take pictures of things other than limited missiles and launchers. Presumably what is meant is that equipment will not be cleared for use if it cannot perform any functions connected with the Treaty. This would be worth clarifying with the Soviets.

Section V, Paragraph 5

Throughout the in-country period, the inspected Party shall provide, or arrange for the provision of, meals, lodging, work space, transportation and, as necessary, medical care for the inspection team and aircrew of the inspecting Party. All the costs in connection with the stay of inspectors carrying out inspection activities pursuant to paragraph 6 of Article XI of the Treaty, on the territory of the inspected Party, including meals, services, lodging, work space, transportation and medical care shall be borne by the inspecting Party.

Comment:

This provision, as well as other provisions which envisage that the Soviets will supply services for U.S. inspectors and bill the United States for them, should be evaluated in the light of our experience with similar arrangements in connection with the construction of the new U.S. Embassy in Moscow.

Use in-country of host aircraft for transport to inspection sites conflicts with policy statements made following agreement at the Conference on Disarmament in Europe that the precedent established in that accord for host-aircraft use would not be applied to further, "serious" arms control agreements. This has possibly still more unsatisfactory implications for the START negotiations.

SECTION VI

Section VI, Paragraph 3

In discharging their functions, inspectors shall not interfere directly with on-going activities at the inspection site and shall avoid unnecessarily hampering or delaying the operation of a facility or taking actions affecting its safe operation.

What is the implication of this "non-interference" provision for the "stand-downs" (pursuant to Section VII.1) needed to give the on-site inspectors an opportunity to assess what is at the site? Will inspectors be able to enforce the rules requiring that missiles, launchers, etc., not be moved during the pre-inspection period?

Section VI, Paragraph 6

Inspectors carrying out inspection activities pursuant to paragraph 6 of Article XI of the Treaty shall be allowed to travel within 50 kilometers from the inspection site with the permission of the

in-country escort, and as considered necessary by the inspected Party, shall be accompanied by the in-country escort. Such travel shall be taken solely as a leisure activity.

Comment:

The intelligence by-products of this provision will not be the same for the two Parties. While it appears that nothing of importance lies within 50 kilometers of Votkinsk, Salt Lake City, an increasingly important commercial and defense center, lies well within the range of "off-duty" Soviet inspectors.

Section VI, Paragraph 7

Inspectors shall have the right throughout the period of inspection to be in communication with the embassy of the inspecting Party located within the territory of the country where the inspection is taking place using the telephone communications provided by the inspected Party.

Comment:

This provision, requiring the use of host-country communications systems, may allow the Soviets to hinder effective inspection by U.S. personnel. It gives the Soviets the opportunity to deny U.S. personnel secure communications (or any at all) with their government while in the USSR.

Section VI, Paragraph 9

The inspection team may bring onto the inspection site such documents as needed to conduct the inspection, as well as linear measurement devices; cameras; portable weighing devices; radiation detection devices; and other equipment, as agreed by the Parties. The characteristics and method of use of the equipment listed above, shall also be agreed upon within 30 days after entry into force of the Treaty. During inspections conducted pursuant to paragraphs 3, 4, 5(a), 7 or 8 of Article XI of the Treaty, the inspection team may use any of the equipment listed above, except for cameras, which shall be for use only by the inspected Party at the request of the inspecting Party. During inspections conducted pursuant to paragraph 5(b) of Article XI of the Treaty, all measurements shall be made by the inspected Party at the request of the inspecting Party. At the request of inspectors, the in-country escort shall take photographs of the inspected facilities using the inspecting Party's camera systems which are capable of producing duplicate, instant development photographic prints. Each Party shall receive one copy of every photograph.

Comment:

This provision requires agreement within 30 days of entry into force of the Treaty on the "characteristics and method of use of" equipment brought by inspection teams. Given that the "initial" inspections (pursuant to Article XI.3 of the Treaty) are to start 30 days after entry into force (and to be finished 60 days thereafter), it is necessary that such agreement be reached promptly; will the fact that these discussions will be going on under such great time pressure create a problem for us? Why were these matters not agreed to before Treaty signature?

Section VI, Paragraph 14

For inspections pursuant to paragraphs 3, 4, 5, 7 or 8 of Article XI of the Treaty, pre-inspection procedures, including briefings and safety-related activities, shall begin upon arrival of the inspection team at the inspection site and shall be completed within one hour. The inspection team shall begin the inspection immediately upon completion of the pre-inspection procedures. The period of inspection shall not exceed 24 hours, except for inspections pursuant to paragraphs 6, 7 or 8 of Article XI of the Treaty. The period of inspection may be extended, by agreement with the in-country escort, by no more than eight hours. Post-inspection procedures, which include completing the inspection report in accordance with the provisions of Section XI of this Protocol, shall begin immediately upon completion of the inspection and shall be completed at the inspection site within four hours.

Comment:

The inspections under Treaty Article XI, Paragraphs 3-5 (i.e., the bulk of the inspections provided for in this Treaty, except for the permanent portal monitoring) are limited in duration to 24 hours. This creates an incentive for the Soviets to delay and quibble. What recourse will the United States have if its inspectors are subjected to dilatory maneuvers?

SECTION VIISection VII, Paragraph 1

Within one hour after the time for the specification of the inspection site notified pursuant to paragraph 1(a) of Section IV of this Protocol, the inspected Party shall implement pre-inspection movement restrictions at the inspection site, which shall remain in effect until the inspection team arrives at the inspection site. During the period that pre-inspection movement restrictions are in effect, missiles, stages of such missiles, launchers or support equipment subject to the Treaty shall not be removed from the inspection site.

Comment:

Pre-inspection movement limitations are to be imposed within one hour of notification of the specific site to be inspected; will it be possible to verify that such a "stand-down" order has been issued on behalf of the inspecting Party by the inspected Party and that that order has been obeyed? See comments on Section VI.3 of this Protocol.

Section VII, Paragraph 8

A missile, a stage of such a missile or a launcher subject to the Treaty shall be subject to inspection only by external visual observation, including measuring, as necessary, the dimensions of such a missile, stage of such a missile or launcher. A container that the inspected Party declares to contain a missile or stage of a missile subject to the Treaty, and which is not sufficiently large to be capable of containing more

than one missile or stage of such a missile of the inspected Party subject to the Treaty, shall be subject to inspection only by external visual observation, including measuring, as necessary, the dimensions of such a container to confirm that it cannot contain more than one missile or stage of such a missile of the inspected Party subject to the Treaty. Except as provided for in paragraph 14 of this Section, a container that is sufficiently large to contain a missile or stage of such a missile of the inspected Party subject to the Treaty that the inspected Party declares not to contain a missile or stage of such a missile subject to the Treaty shall be subject to inspection only by means of weighing or visual observation of the interior of the container, as necessary, to confirm that it does not, in fact, contain a missile or stage of such a missile of the inspected Party subject to the Treaty. If such a container is a launch canister associated with a type of missile not subject to the Treaty, and declared by the inspected Party to contain such a missile, it shall be subject to external inspection only, including use of radiation detection devices, visual observation and linear measurement, as necessary, of the dimensions of such a canister.

Comment:

The last sentence will allow the Soviets (except at Votkinsk) to declare any suspicious canister to be a canister for an SS-25 (or for some other non-limited missile) and, it appears, we will be unable to look inside it, weigh it or x-ray it. As a result of this provision, the Soviets could keep any number of undeclared SS-20s in SS-25 canisters.

Section VII, Paragraph 9

A structure or container that is not sufficiently large to contain a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty shall be subject to inspection only by external visual observation including measuring, as necessary, the dimensions of such a structure or container to confirm that it is not sufficiently large to be capable of containing a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty.

Comment:

It is unclear how small a structure or container must be in order for this provision to exempt it from inspection other than by external visual observation. For instance, it is not clear whether the counting rules of Treaty Article VII.10 apply to this provision and, if so, how.

Section VII, Paragraph 10

Within a structure, a space which is sufficiently large to contain a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty, but which is demonstrated to the satisfaction of the inspection team not to be accessible by the smallest missile, stage of a missile or launcher of the inspected Party subject to the Treaty shall not be subject to further inspection. If the inspected Party demonstrates to

the satisfaction of the inspection team by means of a visual inspection of the interior of an enclosed space from its entrance that the enclosed space does not contain any missile, stage of such a missile or launcher of the inspected Party subject to the Treaty, such an enclosed space shall not be subject to further inspection.

Comment:

The language of this provision is not clear. Does the prohibition on further inspections apply only to the inspection then underway, or would it apply to subsequent inspections of the same facility, as well? In the latter case, would it be overridden by any evidence that a party had increased the dimensions of the space so that it could now contain a Treaty-limited item?

Section VII, Paragraph 14

During an inspection conducted pursuant to paragraph 5(b) of Article XI of the Treaty, it shall be the responsibility of the inspected Party to demonstrate that a shrouded or environmentally protected object which is equal to or larger than the smallest missile, stage of a missile or launcher of the inspected Party subject to the Treaty is not, in fact, a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty. This may be accomplished by partial removal of the shroud or environmental protection cover, measuring, or weighing the covered object or by other methods. If the inspected Party satisfies the inspection team by its demonstration that the object is not a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty, then there shall be no further inspection of that object. If the container is a launch canister associated with a type of missile not subject to the Treaty, and declared by the inspected Party to contain such a missile, then it shall be subject to external inspection only, including use of radiation detection devices, visual observation and linear measurement, as necessary, of the dimensions of such a canister.

Comment:

Rules about inspecting containers, shrouded objects, etc. have the following anomaly: as noted in connection with paragraph 8 above, if the inspected Party declares that a given container is a launch container for an unlimited missile, then said container is subject to a less stringent inspection regime.

SECTION VIII

Section VIII, Paragraph 1

Inspections of the process of elimination of items of missile systems specified in the Protocol on Elimination carried out pursuant to paragraph 7 of Article XI of the Treaty shall be conducted in accordance with the procedures set forth in this paragraph and the Protocol on Elimination.

(c) Subject to paragraphs 3 and 11 of Section VI

of this Protocol, inspectors shall observe the execution of the specific procedures for the elimination of the items of missile systems as provided for in the Protocol on Elimination. If any deviations from the agreed elimination procedures are found, the inspectors shall have the right to call the attention of the in-country escort to the need for strict compliance with the above-mentioned procedures. The completion of such procedures shall be confirmed in accordance with the procedures specified in the Protocol on Elimination.

Comment:

Exactly what does the "right to call the attention of the in-country escort to the need for strict compliance" with the inspection protocols procedures mean?

Section VIII, Paragraph 2

Inspections of the elimination of items of missile systems specified in the Protocol on Elimination carried out pursuant to paragraph 8 of Article XI of the Treaty shall be conducted in accordance with the procedures set forth in Sections II, IV or V of the Protocol on Elimination or as otherwise agreed by the Parties.

Comment:

The Protocol contains no inspection rules for inspections of elimination of training missiles and launchers.

SECTION IX

The precedents established in this Treaty for continuous monitoring will be important for START. They should be rigorously assessed in that light.

Section IX, Paragraph 1

The inspected Party shall maintain an agreed perimeter around the periphery of the inspection site and shall designate a portal with not more than one rail line and one road which shall be within 50 meters of each other. All vehicles which can contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party shall exit only through this portal.

Comment:

The last sentence of this paragraph, as well as other paragraphs of this Section, apparently incorporates the fundamental inequality caused by the counting rule (Article VII.10 of the Treaty) according to which a Pershing II first stage counts as a whole missile, while only a full-up missile or its canister counts as an SS-20 on the Soviet side. In other words, all U.S. vehicles and containers large enough to contain a Pershing II first stage (length 3.7 meters) will be subject to inspection at the Magna facility's portal while only those as large as (or larger than) an entire SS-20 (length 16.5 meters) will be subject to inspection at the Votkinsk gate.

Furthermore, it is not clear whether there is agreement as to what constitutes an "agreed perimeter." Is there an accord

reflecting certain minimum Soviet security standards, or are we making assumptions about the character and quality of such standards based on past practice?

Section IX, Paragraph 13

Vehicles exiting through the portal specified in paragraph 1 of this Section that are large enough and heavy enough to contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party but that are declared not to contain a missile or missile stage as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party shall be subject to the following procedures.

(c) If inside a vehicle there are one or more containers or shrouded objects large enough to be or to contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party, it shall be the responsibility of the inspected Party to demonstrate that such containers or shrouded objects are not and do not contain intermediate-range GLBMs or the longest stages of such GLBMs of the inspected Party.

Comment:

What does "responsibility...to demonstrate" mean? To inspectors' satisfaction? What is the significance of this choice of words when elsewhere the requirement is spelled out with specificity?

Section IX, Paragraph 14

Vehicles exiting through the portal specified in paragraph 1 of this Section that are declared to contain a missile or missile stage as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party shall be subject to the following procedures.

(c) The inspecting Party shall have the right to weigh and measure the dimensions of any launch canister or of any shipping container declared to contain such a missile or missile stage and to image the contents of any launch canister or of any shipping container declared to contain such a missile or missile stage; it shall have the right to view such missiles or missile stages, contained in launch canisters or shipping containers eight times per calendar year. The in-country escort shall be present during all phases of such viewing. During such interior viewing:

(i) the front end of the launch canister or the cover of the shipping container shall be opened;
(ii) the missile or missile stage shall not be removed from its launch canister or shipping container; and

(iii) the length and diameter of the stages of the

missile shall be measured in accordance with the methods agreed by the Parties so as to ascertain that the missile or missile stage is not an intermediate-range GLBM of the inspected Party, or the longest stage of such a GLBM, and that the missile has no more than one stage which is outwardly similar to a stage of an existing type of intermediate-range GLBM.

Comment:

The last sentence suggests that the Parties now know of some non-intrusive and non-damaging way to discriminate between the largest stage of the SS-20 and that of the SS-25. Is this the case? What is this technology? Is it currently available? What is its assessed reliability?

By what mechanisms are the Parties to agree to the methods for measuring SS-20/25 stages at Votkinsk? Do they include the non-damaging image producing equipment mentioned in Section IX.6? If so, why not say so? If the Soviets have not yet agreed that the methods to be used include such equipment, this lack of agreement should be noted.

SECTION X

An inspection shall be cancelled if, due to circumstances brought about by force majeure, it cannot be carried out. In the case of a delay that prevents an inspection team performing an inspection pursuant to paragraphs 3, 4 or 5 of Article XI of the Treaty, from arriving at the inspection site during the time specified in paragraph 2 of Section VII of this Protocol, the inspecting Party may either cancel or carry out the inspection. If an inspection is cancelled due to circumstances brought about by force majeure or delay, then the number of inspections to which the inspecting Party is entitled shall not be reduced.

Comment:

This section foresees the possibility of a delay that prevents the inspecting Party from arriving at the inspection site within the 9 hour period specified in Section VII.2. The inspecting Party may cancel (and not have an aborted inspection count against its quota) or continue anyway (and presumably have it count against its quota). In either case, this section appears to be an all-purpose loophole; the inspecting Party has an incentive to cancel since the presumably less worthwhile, delayed inspection still counts against the quota; even if it does not, the inspected Party will have been able to hide anything it wishes before the delayed inspection occurs. (Note that "delay" is distinguished from a force majeure circumstance in which the inspection presumably cannot be carried out at all.)

SECTION XI

Section XI, Paragraph 1

For inspections conducted pursuant to paragraphs 3, 4, 5, 7 or 8 of Article XI of the Treaty, during post-inspection procedures, and no later than two hours after the inspection has been completed, the inspection team leader shall provide the in-country escort with a written inspection report in both the English and Russian languages. The report shall be factual. It shall include the type of inspection

carried out, the inspection site, the number of missiles, stages of missiles, launchers and items of support equipment subject to the Treaty observed during the period of inspection and any measurements recorded pursuant to paragraph 10 of Section VI of this Protocol. Photographs taken during the inspection in accordance with agreed procedures, as well as the inspection site diagram provided for by paragraph 6 of Section VII of this Protocol, shall be attached to this report.

Comment:

The written inspection report is to be provided to the in-country escort within 2 hours of the completion of the inspection. This hardly allows for any serious analysis of observations. It seems to assume that the inspection report will simply verify the inspected Parties' information.

In any case, it should be made clear that failure to list an anomaly in the inspection report will not prevent the inspecting Party from raising the issue subsequently, either in the Special Verification Commission or elsewhere.

Section XI, Paragraph 2

For inspection activities conducted pursuant to paragraph 6 of Article XI of the Treaty, within 3 days after the end of each month, the inspection team leader shall provide the in-country escort with a written inspection report both in the English and Russian languages. The report shall be factual. It shall include the number of vehicles declared to contain a missile or stage of a missile as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party that left the inspection site through the portal specified in paragraph 1 of Section IX of this Protocol during that month. The report shall also include any measurements of launch canisters or shipping containers contained in these vehicles recorded pursuant to paragraph 11 of Section VI of this Protocol. In the event the inspecting Party, under the provisions of paragraph 14(c) of Section IX of this Protocol, has viewed the interior of a launch canister or shipping container declared to contain a missile or stage of a missile as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party, the report shall also include the measurements of the length and diameter of missile stages obtained during the inspection and recorded pursuant to paragraph 11 of Section VI of this Protocol. Photographs taken during the inspection in accordance with agreed procedures shall be attached to this report.

Comment:

In addition to the aforementioned shortcomings of this Section, a further mechanical one merits mention. The problem of having competent translation and conforming of report texts performed under the time pressures stipulated here is not a trivial one. If these reports take on the importance one might expect, then having them done properly and consistently may prove to be as daunting a task as ensuring that they are technically sound.

MEMORANDUM OF UNDERSTANDING REGARDING INF DATA

Serious questions can be -- and have been -- raised about the accuracy of the data provided by the Soviets in this MOU. This is a matter that can be explored usefully and properly only through an examination of classified estimates and analyses.

However, it should be noted that the State Department stated in the Spring of 1987 that:

In addition to the approximately 400 SS-20 missiles now deployed, there may be as many as 200-400 (or more) such missiles in the USSR's inventory.

Thus, it would seem that our intelligence estimates on these matters fall within a wide range of uncertainty. It is also the case that our estimates have, for some time, been a matter of public record. Consequently, we should not take particular comfort from the contention that the Soviet-provided data fall within that range.

PREPARED STATEMENT OF RICHARD PERLE

Mr Chairman, I greatly appreciate the opportunity you have given me to testify on the treaty concluded on December 8, 1987 providing for the elimination of intermediate and shorter range missiles.

The general outline of the rights and obligations of the parties is by now well known to the Committee and requires no further comment. Some specific provisions, however, deserve close consideration either because they are ambiguous; because they invite differing interpretations; because they create loopholes whose exploitation by the Soviets would alter substantially the military consequences of the treaty; or because they have important implications for future negotiations or the evolution of our military forces. It is with respect to some of these provisions that I wish to comment this morning.

But before doing that I would like to say something about this treaty broadly conceived. It is, as the Committee knows, the product of six years of negotiation, from November, 1981 to December, 1987. It is a treaty that few thought attainable when the President first proposed it. It is a treaty that was categorically rejected by General Secretaries Brezhnev, Andropov, Chernenko and, for more than a year, Gorbachev. The proposal to eliminate all INF missiles was denounced repeatedly by the Soviets as a subterfuge aimed at establishing American military superiority.

Most of the community of arms control experts believed that the Soviets would never accept the "zero option" (as the proposal came to be known). They regarded the President's proposal -- but not the Soviet rejection of it -- with deep suspicion. The idea became quickly and widely accepted among them that the offer to eliminate the entire class of medium range missiles was a disingenuous maneuver intended to frustrate any serious negotiation. Indeed, the Washington bureau chief of Time magazine wrote a full length book that sounded this theme, in which I was portrayed as the villain and my State Department colleagues as heroes who would rescue an INF treaty from the overly demanding embrace of the zero option.

But, having become persuaded that the elimination of all intermediate range missiles was in the western security interest, the President refused to take no for an answer. He was patient and determined. He had reviewed our past experience with arms control and concluded that a failure of staying power had too often led to unreciprocated concessions and, ultimately, such flawed treaties as SALT I and SALT II. He believed that in the past our eagerness for agreement had enabled the Soviets to avoid the necessity for compromise: we had typically offered the Soviets a succession of proposals, each more accommodating than the one before it; and they had simply waited until our proposals enabled them to realize their objectives. He was convinced that we would never learn how tractable the Soviets were until we put forward proposals that would test their willingness to compromise. So he was comfortable advancing a proposal that many people considered unacceptable ("non-negotiable") to the Soviets; and he was equally comfortable waiting for a change in the Soviets' negative reaction.

Waiting meant remaining steady through two years of stalemate and through the year long absence from Geneva after the Soviets walked out of the negotiations in November, 1983. When it later it became clear to the Soviets that their strategy of terminating the talks to intimidate our European allies had failed, they resumed the negotiations -- negotiations to which they had pledged never to return until all American missiles deployed in Europe had been removed.

The President's eventual success in gaining adoption of the zero option required, of course, that our allies in Britain, Italy, Germany, Belgium and the Netherlands carry out the deployment that NATO had decided on in December, 1979. And they did -- with fits and starts -- through a period of bitter controversy during which the Soviets hoped that opposition to the deployment of American missiles would relieve Moscow of the need to compromise and remove their intermediate missiles. Looking back it is clear that the opponents of deployment in Europe, the unilateralists in the United Kingdom, Germany and the Netherlands in particular, would have destroyed any chance of a successful negotiation if they had succeeded in halting the deployment of Pershing and cruise missiles. The lesson of the INF negotiation should end once and for all the unilateralists' fantasy that their policies support serious arms control.

Perhaps equally important was the President's decision in 1983 to initiate a program of research, development and testing of strategic defenses -- a program the Soviets vehemently opposed and hoped to scuttle through the arms control process. To accomplish this they had to keep the process alive. This explains in part Gorbachev's decision to return to the Geneva negotiations in 1985 and his reversal later of the position he took at the Iceland summit of holding an INF agreement hostage to the United States abandoning SDI.

However one regards the INF treaty, it is the treaty that Ronald Reagan set out to get in 1981. His will and resolve, and that of our allies, has vindicated the judgment that the Soviets could be pressed to abandon their intermediate missiles in exchange for ours. *TRUE, AFTER Deployment!*

I know that there are those who believe that the elimination of intermediate missiles will weaken rather than strengthen western security. I disagree. The removal of SS-20 intermediate missiles will impair the Soviet's ability to attack and destroy the critical NATO installations on which the conventional, as well as the nuclear defense of Europe depends. It is true that many of these installations will remain vulnerable to other Soviet missiles, including their ICBM's.

But just as the use of an American ICBM is thought by some to entail greater risk than the use of an intermediate missile, the same should hold true of the Soviets. For my part, I believe that the decision to use nuclear weapons against the Soviet homeland in response to a Soviet conventional attack on Europe would be of such momentous consequence as to dwarf the issue of whether the chosen weapon was of intermediate or intercontinental range.

In any case, the Pershing II and ground launched cruise missiles have turned out to be far more vulnerable to attack than those who made the decision to deploy them anticipated. This is due in part to the difficulty of dispersing them in a timely fashion. At their operational bases they are vulnerable even to conventional attack. It is reasonable to assume that they would be the first Soviet targets in any war begun by them, and that they would not last more than a few minutes unless dispersed to field locations. Indeed, the first Pershing II site in Europe was built, not in Germany, but in the Soviet Union where a full-scale mock-up was constructed so that Soviet troops could train to attack and destroy it.

Timely dispersal is problematic because of the operational constraints placed on the peacetime movement of nuclear missiles. A timely decision to disperse in a crisis is almost certain to be rejected by NATO as an aggravation of an already dangerous situation. This unhappy state of affairs applies to the movement of weapons other than intermediate missiles; and it has profound implications for the ability of NATO to deter -- implications that the alliance has so far failed to comprehend, let alone take action to deal with.

Even after the removal of American INF missiles from Europe we will have some 4,000 nuclear weapons deployed there, many of which are carried by delivery systems that can reach, in some cases deeply, into the Soviet Union. It is crucial for the defense of the alliance that these weapons be retained in the western arsenal and, consistent with the decision taken at Montebello in 1983, improved so as to make them more effective. The Lance missile is approaching obsolescence and needs to be replaced, ideally with a missile capable of the full range permitted by the treaty, 500 kilometers. The range and effectiveness of the other nuclear weapons deployed in defense of the alliance should be improved as well. And air-to-surface missiles should replace certain gravity bombs in order to improve target coverage and effectiveness. Finally, the F-111 aircraft should be modernized and eventually replaced with an aircraft that has the range and payload necessary to strike deep in Soviet territory.

These measures can, in my judgment, ensure that NATO will be able to deter attack in the future just as it has in the past. I cannot accept the argument of those who believe that the absence of American intermediate missiles in Europe will diminish significantly our ability to deter Soviet attack, provided that we continue to maintain a significant nuclear capability there.

But I would be deeply troubled about the defense of Europe if we were to eliminate our remaining nuclear weapons there. Without them we can neither deter nor defend. The presence of nuclear weapons among the western armies causes the Soviets to disperse their forces; and that in turn, by precluding the massing of vastly superior Soviet armor, increases greatly NATO's capability to defend Europe with conventional weapons. The removal of NATO's remaining nuclear weapons would increase the vulnerability of our forces there to the point where we could not, in good conscience, ask them to remain. In any case,

an agreement to eliminate, or even more to reduce, battlefield and air-delivered nuclear weapons would be impossible to verify. Thus it is puzzling that some Europeans believe that we ought to enter negotiations aimed at reducing those weapons. I can understand why Foreign Minister Shevardnadze has proposed such negotiations. But I cannot understand why Foreign Minister Genscher finds it so difficult to say no.

This Committee has heard, and will doubtless hear again, that the removal of American INF missiles will leave Europe more vulnerable to superior Soviet conventional forces. I do not agree. This is not to say that Europe is not vulnerable to conventional attack. It clearly is. But I do not believe that it is any less vulnerable, or that the western deterrent is any more persuasive, if the United States deploys intermediate missiles that are themselves vulnerable. The answer to the conventional imbalance lies now, as it always has, in western hands -- and treasuries. Easy reliance on nuclear threats cannot be a substitute for a robust conventional capability reinforced by NATO's nuclear weapons and the American strategic deterrent. And conventional arms control, which ought to be at the top of the western arms control agenda, is unlikely to lead the Soviets to abandon the superiority that they have endured great sacrifice to achieve.

I said at the outset that some provisions of the treaty deserve close scrutiny and careful Senate consideration. For despite the admirable professionalism, heroic at times, with which the INF treaty was negotiated, there are provisions in it that could benefit from greater precision and clarity; there are ambiguities that should be cleared up and loopholes that ought to be closed. There are also provisions that would establish dangerous precedents if they were believed to have application wider than this treaty. Much of the verification regime falls into this category. Had more time been available to negotiate those treaty issues that were resolved late in the negotiation -- in some cases in the final days and hours -- it is likely that some of the more troublesome provisions would have been handled differently.

Yesterday, the American Enterprise Institute released a careful article-by-article review of the treaty. It is the product of a working group that includes both supporters and opponents of the treaty. But all who participated in it believe that, where the treaty can be improved so as to accomplish its essential purpose better, it is in the national interest to do so. I am happy to make a copy of the AEI report available to the Committee for whatever use it wishes to make of it. You will find in it an analysis of the ambiguities, loopholes and definitional problems that we would do well to clarify, close and resolve.

There has been a great deal of talk about the possibility that this treaty may be destroyed by "killer" amendments. Unlike some who argue that the INF treaty is politically and conceptually flawed, I believe that it is sound in these respects and should be ratified. Indeed, a failure to ratify the treaty could do grave harm to our political and security interests. So I would oppose any amendment aimed at killing the treaty.

At the same time I believe that the Senate role in the consideration of treaties should entail more than a selection between a rubber stamp that says "yes" and one that says "no." To offer treaties for Senate consideration on a take-it-or-leave-it basis would do to the Senate what the President rightly claims the absence of a line-item veto on budget measures does to executive authority.

I take particular exception to the notion that any amendment or reservation that requires further negotiation or consultation with the Soviets is bound to kill the treaty. Some of the treaty's deficiencies were the product of haste, not the clash of American and Soviet differences. Others reflect our thinking at one time or another during the negotiating process on issues where second thoughts are now in order. And I see no reason why language that might be subject to differing interpretations should not be clarified now rather than later. We have learned to our regret how difficult it is to resolve interpretative disputes when they emerge years after ratification. The notion that this treaty cannot be improved without killing it implies that every provision in it reflects the only formulation that the Soviets would or could accept, and that each of those formulations is as effective as possible. Surely this is not the case; and no one familiar with the negotiation would contend that it is. Indeed, some possible clarifications might be as welcome to the Soviets as to us.

Some improvement might result from an exchange of correspondence between the parties as to the meaning and interpretation of specific provisions. In other cases amendments or reservations might be helpful, so long as they do not alter the fundamental exchange of rights and obligations, and thus the structural integrity, of the treaty. Amendments that did alter the essential features of the treaty to eliminate nuclear missiles, say by conferring unilateral advantages or imposing unilateral constraints, would indeed be "killer" amendments that the Senate would be wise to reject. Amendments or reservations of more modest scope, on the other hand, deserve careful deliberation by the Senate.

Consider Article XIV which deals with non-circumvention. Various administration witnesses have testified that Article XIV imposes no obligations on the United States beyond those contained in the other articles of the treaty. Yet under international law treaty provisions are generally held to have some non-redundant meaning on the not unreasonable principle that if they lacked independent meaning they would be superfluous. We know from experience that it is a Soviet objective to curtail our military cooperation with our allies; and they may be tempted to interpret Article XIV so as to encumber that cooperation. A reservation that states simply that Article XIV entails no obligations not otherwise specified elsewhere in the treaty would settle the matter. And unless the Soviets interpret Article XIV differently, such a reservation should be readily accepted by them.

One provision of the treaty (Article II, paragraph 2) has the effect of banning ground launched cruise missiles with a range over 500 kilometers even if they are armed with non-nuclear weapons. I believe that this is the single most serious defect in the treaty -- serious enough to warrant an amendment that would ban nuclear, but permit non-nuclear cruise missiles.

The prohibition on conventionally armed ground launched cruise missiles will prevent the United States from deploying weapons that could strengthen greatly our deterrent forces and our conventional capability. Non-nuclear cruise missiles with previously unimaginable accuracy -- missiles capable of striking within 10 feet of their targets in any weather even when fired from great distances -- could enable the United States to replace nuclear with non-nuclear weapons for a class of important targets that can now be destroyed only with nuclear weapons. Such deployments would significantly raise the nuclear threshold and place even hardened targets at risk. This would create a formidable deterrent to conventional attack and

diminish the need to rely on nuclear strikes to halt a conventional offensive early in a major war. And it would create a variety of options in more limited conflicts where it is inadvisable to place in jeopardy the aircraft and ships, and the men who fly and man them, that would otherwise bear the burden of launching cruise missiles. Ground launched cruise missiles are likely to be far cheaper and less vulnerable to attack or attrition than those delivered from costly and vulnerable ships and aircraft. And because they would not carry nuclear weapons a number of peacetime dispersal options would be available. The advantage of deploying hundreds of ground launched cruise missiles over a wide geographic area is considerable compared to concentrating a cruise missile capability on aircraft based at a few tens of locations or on a small number of ships. This is an advantage that ought to be seized.

The only argument for banning conventional as well as nuclear cruise missiles is that it is necessary to ban both in order to verify compliance with a ban on nuclear cruise missiles because it is difficult to distinguish between them. Yet the treaty does allow unarmed cruise missiles. If the Soviets wished to disguise the deployment of nuclear armed cruise missiles they could simply claim that they were unarmed reconnaissance vehicles. We would be unable to verify this claim in peacetime; and during a war nuclear warheads could be easily added. Moreover, there is no practicable way to verify the range of a cruise missile. The Soviets could deploy a conventionally armed cruise missile with, say, a 2,000 pound warhead and a range of 500 kilometers. The substitution of a 150 pound nuclear warhead for the much heavier conventional one would enable that cruise missile to operate at distances greatly exceeding 500 kilometers.

So it is simply wrong to assert that a ban on non-nuclear cruise missiles makes a ban on nuclear ones verifiable. The verification advantage of complicating one cheating scenario for nuclear cruise missiles when several others exist is illusory. Yet, ironically, I believe that the administration agreed to ban conventional cruise missiles, not so much because the Soviets insisted on it, but because it feared criticism from Senators concerned about verification.

In cases where verification is nearly impossible, as it is with respect to Article II, paragraph 2, the crucial issue becomes the protection of U.S. options. Where the option in question is particularly promising and beneficial to our security, it is foolish to abandon it -- for all time -- in the idle belief that we have thereby solved an important verification problem.

As I understand it the United States offered to ban intermediate range non-nuclear ground launched cruise missiles when the Joint Chiefs of Staff stated that they had no requirement for one. I believe that it is short sighted in the extreme to abandon forever a program option of great importance because the cumbersome process by which the JCS establishes "requirements" has thus far failed to recognize the enormous potential such a program possesses.

Moreover, I understand that the Joint Chiefs of Staff have said that we must not follow the logic that led to abandoning ground launched cruise missiles when it comes to air and sea launched ones. But if the administration argues that Article II, paragraph 2 is necessary for verification, how will it argue otherwise when the Soviets assert, as they surely will, that the same holds true for the others? How will we persuade the

public opinion, on which all American negotiating positions ultimately depend, that yesterday's logic no longer prevails?

I am aware that the joint statement issued at the Washington summit would seem to protect the option for conventionally armed air and sea launched cruise missiles. But we know from experience that summit statements are easily recanted or ignored. Already the Soviets have charged the administration with ignoring a section of the summit statement dealing with SDI. It will not be long before they find a pretext for insisting that conventional cruise missiles of all types should be prohibited. Summit statements are simply not the same as treaty text and one would be foolish to think otherwise.

While the Soviets are attempting to constrain sea launched cruise missiles in the Strategic Arms Reductions Talks, I do not believe that the issue of conventionally armed ground launched cruise missiles was, or is, central to the INF treaty. Had we insisted on retaining them, which we did for most of the six years of the INF negotiations, the Soviets would surely have acquiesced. An amendment that simply adds the word "nuclear" at the appropriate place in Article II, paragraph 2, would, after a suitable interval of plaintive propaganda, be accepted by them. This was not and is not now a make or break issue. The Soviets will not abandon the INF treaty on this peripheral issue. There is no "killer" amendment here.

I urge the Senate to facilitate rapid movement toward the development and deployment of accurate, conventionally armed cruise missiles by requiring an amendment to the treaty that would permit them. If we are to diminish the awesome reliance on nuclear weapons that now figures so importantly in NATO strategy we had better keep our options open for effective conventional forces. And I see no reason why the Senate should not advise the Joint Chiefs of Staff that an initiative along these lines would be welcomed and funded.

The AEI report to which I referred earlier considers a number of difficulties with the treaty's verification regime. I believe that many of these are easily correctable; some doubtless are not. But however these questions are eventually resolved, I hope that the Senate makes it plain that the INF treaty verification provisions would not be acceptable in a START treaty where the risks are far greater and the consequences of cheating vastly more dangerous.

The President deserves great credit for what he has accomplished in concluding a treaty of unusual scope in circumstances that were inauspicious enough to discourage all but a few. He has in the broadest sense set a new standard for arms control, taking it beyond marginal encroachments on Soviet programs and eliminating an entire class of weapon. But the achievement of results in arms control requires an appreciation of its limits together with patience and persistence that we may not soon see again.

PREPARED STATEMENT OF WALTER B. SLOCOMBE

It is an honor to be invited to appear before this Committee to comment on the INF Treaty and its implications for the security of this country and of NATO as a whole.

The Treaty As a Political Success

The Treaty is clearly a substantial arms control

accomplishment, by the standards by which past agreements have been judged -- and often criticized. It produces substantial reductions in existing forces; it will require that more Soviet than American units be dismantled; and it requires Soviet cooperation in important new ways that will contribute to confidence in verification. It may also open the door to even more far-reaching further agreements -- though Western objectives in such agreements are still not fully resolved.

It also represents a very considerable political success, both for the United States and for the Alliance as a whole. We now have the luxury of debating whether "zero" Soviet missiles is worth eliminating equivalent US missiles. For a long time, there was a real danger that NATO would not be able to carry through and deploy any missiles of its own, leaving the field a virtual Soviet monopoly. NATO's goal, set ten years ago, was to deploy in the absence of Soviet dismantling of its SS-20s. The successful accomplishment of that goal is a very substantial achievement, with important implications for the continued vitality of the Alliance.

The key to that success has, of course, been the willingness of democratic political systems on both sides of the Atlantic to recognize that there are some hard and unpleasant things that have to be done. Most important, the nations of Western Europe that supported the decision to deploy Pershing IIs and Ground Launched Cruise Missiles and especially those that agreed to accept deployment at bases within their territories demonstrated a strong commitment to bearing the burdens -- including the burden of strong domestic controversy -- of collective security. (Ironically, the governments of Western Europe, with strong left-wing elements in their political life, and sometimes even within the governments themselves, managed to find the political courage to agree to deployment of mobile nuclear missiles in their crowded countries, something the US, with an even more compelling military need, has not yet managed to do.)

It is also worth pointing out that the deployment of GLCMS and Pershings had -- and required -- the support of two US administrations, neither of which, for different reasons, came readily to that position. In particular, the Reagan administration was, no doubt, tempted to abandon the whole "dual-track" program as another of Jimmy Carter's schemes. It is to their credit that they did not do so.

A central lesson of this whole experience -- and one not likely to be lost on the Soviet leadership -- however obscured in debates in the Alliance -- is that democratic countries, with steady leadership across a broad spectrum of their political life, can face up to difficult security decisions, resist both Soviet bluster and Soviet blandishments, and carry through on a decade-long campaign with combined military, diplomatic, and political elements.

Another central lesson is that, under contemporary conditions, arms control proposals and military programs cannot be developed in isolation from one another. It is not necessarily going to be wise in the coming years to match an arms control initiative to every major new program, nor to decline to negotiate a subject until there is an active Alliance investment program underway in the area. But such matching will often be appropriate -- and the implications of every major program and every major proposal for each other will have to be worked through -- and often on an Alliance-wide basis, not merely within the US. The success of the "double track" effort testifies to the proposition that the Alliance is perfectly capable of such coordination.

The Military/Security Effect of the Treaty

However, there are many who -- while acknowledging the political virtues to having set and achieved an Alliance goal and

even agreeing that the Treaty could not now be repudiated without unacceptable political cost -- raise grave questions about whether the Treaty is, in fact, consistent with the continued viability of NATO as a military alliance, and particularly with continued reliance on the US nuclear deterrent as an element of NATO strategy. It is certainly the case that this is the right question to ask about an arms control agreement, namely, "Does it enhance our security and that of our allies who security is important to our own?" For a politically useful, highly verifiable agreement that failed to meet that criterion should not be ratified. At the same time, an agreement that has a strongly favorable political effect is be welcomed if its military effects are favorable even if they are, as is, broadly speaking, the case with the INF Treaty, relatively modest in scale.

It is important to begin by observing that the INF Treaty deals only with a narrow range of nuclear delivery systems, with a set of systems whose political prominence has exceeded their strategic importance. From a security point of view, the value of the Treaty does not lie in the claim that it eliminates "a whole class of nuclear weapons," but in the fact that it does require elimination of a set of missiles that has been a source of considerable tension and dispute, while leaving NATO with forces fully adequate to carry out the important missions now assigned the eliminated NATO missiles.

I believe that the INF Treaty fully meets the standard of allowing us to meet our military missions at the reduced levels it mandates, and I would like to devote the bulk of my statement to explaining why, in my view, the limitations on US and Soviet theater nuclear forces imposed by INF Treaty are thoroughly consistent with NATO security, and specifically with continued reliance on the US nuclear guarantee.

The Sources of NATO's Strength. It is appropriate to begin by reviewing the place of nuclear weapons in NATO's strategy. NATO does not depend -- and indeed never has depended -- on a unilateral, altruistic US promise to hurl nuclear weapons at the Soviet homeland the moment the first Soviet soldier crosses the Elbe. Rather, nuclear weapons form one part of an overall structure of Alliance defense.

The key to that structure is not military at all, for the greatest source of strength in the Alliance is political -- even cultural. The Alliance rests not only on self-interest in collective resistance to an external military threat, but also on a deeply shared sense of values, of dedication to democracy, human rights, economic opportunity and social justice.

But ultimately NATO is a military alliance, and from a military point of view, the key elements of NATO's capability are:

- the deployment of substantial forces on the ground forward, especially in the FRG. While the US element in these forces is particularly important, the presence of forces from many allies in these forward-deployed formations is a key factor in demonstrating the cohesion of the alliance.

- the capacity of the alliance's conventional forces to be augmented rapidly on mobilization by deploying additional forces, from reserves and, in the case of the US and Canada, from overseas, and finally,

- the declared readiness and manifest capability of the Alliance to use nuclear weapons to resist aggression in Europe that cannot be contained by other means.

This ultimate nuclear threat not only presents the Soviets with incalculable risks if they attack; it also dramatizes the intimacy of the link between the United States and the security of Europe. All the NATO members bear some element of the burden of

the nuclear task -- in the case of Britain and France by direct possession of nuclear weapons, for most of the other NATO countries by "dual key" arrangements for use of European delivery systems for US weapons, and by providing bases and support facilities. But for the most part the weapons are American, and the threat to use them helps make the proposition that an attack on one NATO state is an attack on the US a practical reality, not a pious treaty phrase.

Criticisms of the Treaty on Military Grounds. If I understand the critics correctly, the argument that the INF Treaty undermines the nuclear element in NATO strategy relies on all or some of the following propositions. After stating each criticism, I suggest why it is incorrect, or at least incomplete and misleading.

1. The Forces Claim. Critics claim that the Treaty will leave the US with inadequate forces to cover targets of importance to NATO, an effect that will be exacerbated by START. In particular, the Treaty, it is claimed, will leave the US with inadequate forces that are particularly linked to NATO Europe that are capable of reaching Soviet (as contrasted to Eastern European) targets.

The flaw in this argument is factual. Obviously the Pershings and GLCMS make a major contribution to the military potential of NATO; that is why the Alliance decided to deploy them. But it is simply false to suggest that without them NATO will lack for the means to attack Soviet forces and Soviet territory with nuclear weapons.

Large forces remain at short ranges. Below the 500 km range, the Treaty imposes no limits and the Alliance will have numbers of short-range artillery and missiles that are generally regarded as, if anything, greater than necessary, however desirable it would be to correct other, non-numerical deficiencies, such as vulnerability to surprise attack. The Treaty does not restrict NATO from taking such corrective steps.

The Alliance will have multiple means of striking Soviet territory with nuclear weapons. Nor will the Treaty deprive NATO of systems capable of reaching Soviet territory, which is indeed a critical mission for effective use of nuclear capability to deter Soviet aggression in Europe.

Central systems (ICBMs, SLBMs, and heavy bombers) make an important contribution to NATO deterrence. It is a serious (though a common) error in analysis, strategy, and politics to maintain that only distinctively European-based systems count in Soviet calculations of the risks of nuclear attack. The US has long declared that its central forces are committed to NATO, even apart from the specific dedication of some 400 SLBM warheads to SACEUR. That commitment will continue after the INF Treaty -- and indeed, after a START Treaty, which will leave ample US weapons available for distinctively NATO missions.

The idea that it makes a great difference to the Russians where the bombs that hit them came from is a peculiarly Western notion; it is clearly not a Soviet one. In discussions of NATO nuclear doctrine, this cuts both ways. On the one hand, the US cannot imagine that the Soviets would refrain from retaliating against US territory after a US attack on the USSR simply because the weapons that hit Mother Russia came from someplace outside the fifty states. Similarly, the Soviets -- partly because they do not attach such protective significance to launch points -- give every indication that they assume that if the US is faced with a situation in which the use of nuclear weapons is in its interest, the US will be quite as ready to use its most effective and powerful nuclear weapons, those in its central arsenal, as any others. Accordingly, in the post-INF Treaty world, the US central

forces, which have made a major contribution to deterrence in the past, will continue to do so.

British and French national nuclear forces are important elements in the nuclear posture facing the USSR. Britain and France have their own nationally controlled missile submarine forces, with, on current modernization plans, several hundred highly modern SLBM warheads. The US insisted that these forces not be limited in the INF Treaty and, despite a good deal of hand-wringing in the West, succeeded in winning the point. That was not simply an issue of the high principle that the US does not negotiate about other people's forces; it represented a cold-blooded judgment that those forces and even their independence of US control make a significant contribution to deterrence in Europe. That contribution will continue.

In any event, the Treaty leaves NATO with very large European-based forces capable of striking Soviet territory. However, even accepting that special weight attaches to forces deployed in Europe and capable of reaching targets in the USSR, it is a grotesque distortion to suggest that the Treaty will deprive NATO of such forces.

Clearly the GLCMs and Pershings are particularly well-suited to service as distinctively European, deep-strike nuclear deterrent systems. They were selected for deployment for precisely those reasons. Personally, it is my view that the US and the allies should have given greater consideration to the possibility of a "walk-in-the-woods" type of agreement, in which a relatively low, equal level of intermediate range missiles was permitted each side. It appears, from the public record at least, that such an agreement might at several stages have been attainable. However, there were various arguments against making such an agreed, limited deployment our objective. Those arguments, as I understand it, related chiefly to the supposed greater ease of verifying complete prohibitions than numerical limits and to the political attractiveness of "eliminating a whole class of nuclear weapons." In any event those arguments carried the day.

And, in the not very meaningful exercise of comparing the Treaty before the Senate with various supposedly better hypothetical treaties, it is essential not to lose sight of the broad points about our military capabilities under the Treaty. After the Treaty-mandated eliminations of intermediate and shorter range missile systems are complete, the US will have in place all those theater nuclear delivery systems capable of reaching Soviet targets that it had in 1983, when the Pershing and GLCM deployment began. These include 150 F-111E/F bombers in Britain, with a reach essentially equivalent to the GLCMs, each carrying three nuclear bombs. Considering other nuclear capable bombers that are in Europe alone, and that have the range to reach deep into Soviet territory from European bases, the US has 144 F-16 strike bombers, and 100 F-16s. The two US Navy aircraft carriers regularly in European waters carry some 50 attack aircraft with nuclear capability. These nuclear capable, theater-deployed bomber forces would be re-enforced on mobilization. The European allies have attack bomber forces that significantly exceed the size of the US force, and many of those aircraft have nuclear missions, under "dual-key" arrangements.

To be sure, these bomber forces have, for the most part, conventional missions as well, and the entire force could not be committed to nuclear roles. But the hundreds of US planes and allied planes with nuclear weapons would provide a formidable force with which to strike Soviet targets with nuclear weapons. Of course, airfields are, to some degree, subject to attack and aircraft to defense. However, we do not proceed on the assumption that the Soviets will be able to prevent effective NATO use of aircraft for conventional roles, where the demands on the defense are much lower. It is illogical -- and inaccurate -- to suggest

that, despite efforts aimed at NATO airfields and attempts to intercept bombers after take-off, an attack on key Warsaw Pact and Soviet targets by NATO aircraft armed with nuclear weapons would be anything other than immensely destructive.

Collectively, these bombers represent a nuclear delivery potential several times that of the Pershings and GLCMs. Of course, they would not all be used in nuclear roles, and the bombers are subject to greater attrition during the attack and probably before than missiles, but the numbers are so large relative to a plausible scale of distinctively NATO attack that there can be no reasonable doubt that, whatever its other problems, NATO would have ample available forces to mount the attack and carry it to its targets.

2. The Credibility Claim. The Treaty, some critics claim, even if it leaves technically adequate forces, destroys credibility in Soviet eyes that the US would ever strike Soviet territory.

The credibility of the US commitment to US rests of US self-interest. The Cold War started over issues of European security, and US recognition that, after two terrible wars, it could no longer stand aloof from the peacetime maintenance of security in Europe, for it would surely be sucked the consequences of failure to prevent aggression there. European issues remain at the very center of the US-Soviet confrontation. Central Europe assembles all the critical elements of the relationship --- First, and most important, the line between NATO and the Warsaw Pact is a line that divides the continent according to the differences about basic principles of how to organize human society that, ultimately, underlie the whole problem.

And the conflict is not only between values; it is also over material interests that are central to US security and well-being. For all the changes in the world economy, Europe remains immensely powerful and productive in economic terms. For all the changes in power relationships, control of the allegiance of Germany, and still more of Europe generally, remains the key to international economic power and to the world military balance.

So long as these interests exist -- and there is no sign they will change anytime in the foreseeable future -- the US will have a vital interest in the security of Europe, and the strongest reasons of self interest to commit its military power to European security.

The Soviets understand this; that is why they seek so vigorously to divide the US and Western Europe. But they also recognize that so long as the US has a vital interest in Europe, they run a grave risk of nuclear war with the US if they attack Europe. A key element of the credibility of the US nuclear threat is, of course, enhancing the degree to which we -- and our allies -- have effective means of defense short of nuclear weapons and therefore need rely on nuclear weapons only as a last resort. In NATO strategy, a robust capacity for conventional defense and an effective and credible nuclear deterrent -- far from being contradictory, are essential complements to each other. There would be grave questions about the credibility of an American threat to use nuclear weapons if the decision had to be made after a very thin, "trip-wire" conventional defense had failed, offering the Soviet Union the prospect of virtually costless gain. A wholly different calculus of behavior is presented by the actual situation -- for all its manifold deficiencies, NATO's conventional capability is sufficient that the strong probability is that NATO would not have to consider resort to nuclear weapons until after a sustained and immensely destructive conventional phase, whose very scale and costs would make it far more likely that NATO would use nuclear weapons rather than accept so terrible and consequential a defeat. (The principal reason, in my view, for improving NATO's conventional defenses is not to pursue an

illusion of being able to forswear any reliance on nuclear weapons, but to make it all the more clear that our conventional defenses could be overcome only after an effort so great that it would be virtually certain that we would use nuclear weapons rather than accept defeat.)

For nearly two generations, the partnership of Europe and America has sustained peace, in both freedom and unprecedented democracy and prosperity, by the uneasy, but effective, combination of conventional and nuclear power to protect ourselves from force, backed by sensible and flexible diplomacy to defuse crises and resolve problems before they get to the point where the use of force is seriously considered. That American commitment has never been riskless; ever since the Soviet Union first developed nuclear weapons, American leaders have assumed that in a war between the US and the USSR, there would be high probability of nuclear weapons destroying American cities. The scale of Soviet forces today makes the risks unequivocally clear; it does not create a risk where none was thought to exist before.

Nothing has happened since SS-20s were first discovered in the mid-1970s, since NATO decided on its response in 1979, since the deployments began in 1983, nor since the "double-zero" agreement was tentatively reached a year ago in Iceland to change the basic reasons for flexible response's credibility. To be sure problems there are, and problems there will remain, but it would be folly of the first order to declare -- with no reasonable basis in fact or concrete expectations -- that NATO's political and moral base has so eroded that a technically and militarily highly favorable treaty will somehow destroy the cohesion of the alliance.

All this is by way of saying that the credibility of the US nuclear guarantee rests on a bedrock of interest, not the details of marginal changes in weapons systems. To be sure, it is important that we have the forces needed to back up our collective commitments.

American nuclear forces in Europe will remain effective enough to be credible if it is absolute capability that counts. There is, of course, a case that what really counts with nuclear weapons is not the relative balance, but the absolute capability of the US forces to carry out their mission. If that is the standard, the post-INF Treaty forces will, as I have explained above, amply meet it. To repeat, after the Treaty is fully effective, NATO will have forces -- including forces based in Europe itself -- capable of carrying out highly effective attacks on Soviet territory on a scale fully sufficient to meet any plausible military requirement. Even if the agreement had permitted limited GLCM and Pershing deployments (at the price of equivalent Soviet deployments and greater verification uncertainties), the contribution of those permitted missile forces to the forces that will exist in any event would have been very marginal.

The balance of theater nuclear forces will become more favorable under the Treaty. If the relative balance counts for anything, the INF Treaty has a favorable effort for NATO. After the INF Treaty reductions are made, the relative balance of US and Soviet intermediate range nuclear missile forces will be more favorable than it has been since the Soviets first began to deploy SS-4s and SS-5s in the late 1950s, for the simple reason that, except for a brief period in the early 1960s, the US never had any such missiles until 1983, while the Soviets had hundreds throughout the period. In defending the deployment decision of 1979, NATO spokesmen rightly pointed out that, even when fully completed, the NATO deployment would leave the Soviets with a heavy preponderance in SS-20s.

There is a strong element of historical forgetfulness in some of the criticisms of the Treaty. The alarm caused by the SS-20s

missiles when first discovered is now only a faint memory -- partly because those who were most disturbed at their arrival seem, for the most part, wholly unassured by the prospect of their disappearance, while those who opposed doing anything about them are embarrassed that the hawks were right after all that a resolute alliance response might succeed in getting rid of them. But ten to fifteen years ago, when the SS-20s were new on the scene, the conventional wisdom was that they -- by their greater capability and survivability -- represented a new "Eurostrategic" Soviet capability that threatened the very structure of the Alliance.

Political solidarity as a factor in credibility. There was always reason for a certain amount of skepticism about whether the SS-20s, formidable though they were and are, were as significant as some people claimed, especially in their capacity to, as it was often put, "neutralize" the US nuclear guarantee. But it is a little puzzling to see it suggested that the elimination of these weapons is of practically no benefit to the West.

In assessing the impact of the Treaty on US credibility, we should give due attention to the effect of the Treaty on a factor in credibility that greatly outweighs a few hundred missiles one way or the other among the thousands of nuclear weapons deployed. That factor is the political solidarity of the Alliance. Because it is an alliance of diverse and democratic states, maintaining its solidarity is at least as much a matter of building and maintaining popular support and understanding as of technical discussions in ministries or even parliaments and congresses.

The Treaty should, as I suggested at the outset, be seen as a real success for democratic diplomacy and for sensible public dedication to both security and peace. Some of the accompaniment of the effort -- ranging from the neutron bomb fiasco to Reykjavik to mention only problems on the US side -- has disguised that success. And exaggerated claims, on both sides of the Atlantic, about the "decoupling" effect of the Treaty threaten to offset it altogether. As I have explained, I believe such an effect would be objectively unjustifiable, but it is not, for that reason, by any means uncertain, or even unlikely, to happen.

And there much to do in the Alliance -- not to make up for problems created by the INF Treaty, but to move on to new and unfinished business. We are dealing with a Soviet leadership that is far more clever and telegenic -- whether or not genuinely more willing to accommodate the legitimate security interests of others. We face, in START, and even more in follow-on negotiations for further arms limits in Europe, new challenges both in dealing with the Soviets and in working as an alliance. At the military and well as the diplomatic level, maintaining an effective alliance will take continued effort, at a time of reduced budgets and increased controversy over security issues. The three elements of deployed international forces, mobilization and re-enforcement capability, and a credible nuclear deterrent have never all been at the levels that would be ideal, given the stakes. We, with our allies, should recognize that all three need to be maintained and improved, not only for their own sake, but because a clear NATO ability to attend to its security needs by its own efforts is an essential prerequisite for a credible negotiating posture. A continued US commitment to maintaining our forces in Europe at substantially their present levels, a collective commitment to needed improvements in the equipment, readiness, sustainability, and interoperability of the forces of all members and to better exploitation of the potential of technology and rapid re-enforcement, and -- an important, if unpleasant, addition -- a recognition that so long as NATO is needed, NATO will need a strong nuclear element in its deterrent arsenal -- all these are steps we must take whether or not the Soviets show any interest in cooperating on questions of European security.

I would add that, even if the Soviets do show an interest in radical arms control in Europe, we should clearly and explicitly reject at the outset the idea that ending reliance on nuclear weapons for deterrence in Europe is a feasible goal. Nuclear weapons are a harsh fact of modern life, and they are not going to be eliminated either by agreement or by technological miracles. We owe it to ourselves to be honest about that. Substantial reduction in Soviet potential for rapid, armor-led assault on Europe would be a major factor reducing dangers and tensions in Europe, but even drastic favorable changes in the conventional balance -- whether achieved by arms control or unilateral measures -- will not in themselves guarantee security. History is full of instances of successful attacks by smaller, more concentrated conventional forces on larger, less ready adversaries. Until there is a truly fundamental change in political relations between the West and the USSR, in my view, the West should make clear that it will both maintain the military capability, and assert the moral right and the political will, to use nuclear weapons in response to massive and successful aggression against its very existence.

In the past few years we have heard -- and we will hear increasingly, even more shrilly -- claims that these policies are now either unnecessary or impossible. It is my view that carried out properly, such measures can continue to preserve peace and stability in Europe for the indefinite future, if need be. Specifically, the INF Treaty, far from making a continued doctrine of Flexible Response impossible either politically or militarily, leaves ample weapons for the mission, and can, if we are wise, create the political base for a credible nuclear element in NATO deterrence for the indefinite future.

LAWYERS ALLIANCE FOR NUCLEAR ARMS CONTROL ANALYSIS OF AEI
INF TREATY WORKING GROUP REPORT

Article I - Principle Obligation

AEI Working Group:

If as the result of the cumulative effect of allowed production, inadequate inspection and permitted R & D, the Soviets can retain or produce prohibited missiles and other systems, the Treaty would fail to achieve its purpose.

Comment:

The INF Treaty bans production and flight-testing for all intermediate and shorter-range ballistic and cruise missiles. Under the broad inspection provisions, it would be extremely difficult to develop a covert force.

Article II - Definitions

AEI Working Group:

In some cases, items "eliminated" according to the specific procedures may be able to continue to perform their prohibited functions.

Comment:

This is a reference to the fact that the Soviets will be permitted to retain the chassis of their SS-20 missile transport vehicles. But the Treaty stipulates that the chassis for the truck bed must be cut at a precise location, making it too short

to erect the prohibited missile on the truck. In addition, all missile-related equipment must be eliminated. It would be nearly impossible for the Soviets to rehabilitate the scrap to make a new missile launcher. Therefore a new one missile launcher truck must be built; this is prohibited by the Treaty.

Article II, Paragraphs 1 and 2

AEI Working Group:

Do the definitions of treaty-prohibited items cover hypervelocity glide vehicles?

The definitions do not cover drones.

The Treaty should not have prohibited conventionally-armed ground-launched cruise missiles.

Comment:

Drones are used for reconnaissance only. It is very difficult to transform a drone into a weapons-delivery vehicle and that can be verified.

A ban on nuclear-armed cruise missiles, without a corresponding ban on conventionally-armed cruise missiles is unverifiable. It takes merely 15 minutes to replace a conventional warhead with a nuclear type.

Article II, Paragraphs 5 & 6

AEI Working Group:

The Soviets would be able to flight test a missile at 490 kilometers, but it still would be capable of traveling over 500 kilometers.

Comment:

While the statement is true, a missile which has not been tested at a certain range would never be used at the range. The uncertainty as to its capabilities is too great.

Article II, Paragraph 8

AEI Working Group:

The terms "normally deployed" missiles and "normally un-deployed" missiles are ambiguous.

Comment:

The deployment areas are specified by the Treaty. If a missile is outside those areas, it must be at an elimination site or in transit. Also, the terms "deployed" and "nondeployed" missiles have nothing to do with operational status; they simply refer to the location of the missiles. Note that the Treaty bans all intermediate and shorter range missiles, whether "deployed" or "nondeployed."

Article IV - Elimination Schedule

Article IV, Paragraph 1

AEI Working Group:

The Treaty allows the Soviets to retain without alteration SS-20-related multiple-bay garages and support structures for shorter-range missiles.

Comment:

.11 launch-specific facilities must be eliminated. It is impossible to store a missile and a launcher in a multiple-bay garage. The United States did not prefer to destroy its garages; how can we demand that the Soviets destroy theirs?

Article VI - Collateral Restraints

Article VI, Paragraph 1

AEI Working Group:

According to the Administration, the SS-16 missile was probably deployed over a long period of time even though we detected no flight tests.

Comment:

The SS-16 test program was filled with blowups and fizzles. In the 1970's it was called "a dog of a missile" by the Pentagon. Although it is possible that it was deployed before it was flight tested, its military utility was negligible.

AEI Working Group:

Flight tests from an SS-25 will provide the Soviets some data relevant to the SS-20.

Comment

It is impossible to test two missiles in one. This allegation is made because the first stage of an SS-25 missile is outwardly similar to the first stage of an SS-20. But the second stage of an SS-20 missile is its final stage. That is not true in the SS-25. Also, the United States inspecting team will be present when the Soviets eliminate their SS-20's by launching them (100 such launches are permitted). This will allow the American inspectors to be able to distinguish the difference, however minute, between the first stage of an SS-20 and that of an SS-25.

Article VII - Counting Rules

Article VII, Paragraphs 1 and 2

AEI Working Group:

The Treaty does not define the word "type."

Comment:

The INF Treaty is a ban so it does not need to define a "type." so, "type" is defined in the SALT II Treaty, which was never ratified. In SALT II a missile "type" was one that has the same number of stages, uses the same kind of fuel, and is within within the 5% range in length, largest diameter, launch weight, and throw weight. If the SALT II Treaty had been ratified, we would not have this problem.

Article VII, Paragraph 3

AEI Working Group:

Could the Soviets develop an intermediate-range or shorter-range missile in the guise of an ABM, ATBM, or anti-air mode?

Comment:

This is an intelligence matter to be discussed in a closed session, but would Mr. Perle be willing to forego testing and production of such American ABM or ATBM missiles?

Article VII, Paragraph 10

AEI Working Group:

The U.S. will only be able to inspect the final assembly of the Soviet missile, whereas the Soviets can inspect American missile stages.

Comment:

The Soviets assemble their missiles in the factory. The United States assembles its Pershings in the field. Therefore, there is no reason for the American to inspect anything short of the final assembly of the Soviet missile and the United States did not wish to allow the Soviet inspections to go too far down our missile chain. Furthermore, the plant in Magna, Utah assembles rocket motors for the MX missile; it does not assemble the Pershings.

Article VIII - Sitting Limitations

Article VIII, Paragraphs 1, 2, 3

AEI Working Group:

Will we be able to tell that Treaty-limited items are not located elsewhere?

Comment:

Yes, through our national technical means, (i.e. reconnaissance satellites). This seems to imply that the United States should have "anywhere-anytime" inspection rights. Is Mr. Perle willing to grant similar rights to the Soviets while in the United States?

AEI Working Group:

Do we know that all areas in the Soviet Union where operational missiles exist have been identified by the Soviets as "deployed" areas?

Comment:

As stated before, a "deployed" missile simply refers to location, not operational status. An "operational" missile can be in a "non-deployed" area and a "non-operational" missile can be in a "deployed" area.

Article VII, Paragraph 6

AEI Working Group:

What is the definition of "locate" missiles and related equipment into areas?

Comment:

If the United States finds one missile outside its declared area, it is a violation of the Treaty.

Article VII, Paragraph 8

AEI Working Group:

Treaty-prohibited missiles can be placed on launchers at support facilities or at launch-elimination sites.

Comment:

This was written into the Treaty at the request of the United States. In order to have confidence in the repair, the United States must place the missile on the launcher. This can only be done at specified areas and notification must be made when either entering or exiting a repair facility. American inspectors must be present during launch-elimination.

AEI Working Group:

There is no definition or clarification of training missiles and launchers. What if the Soviets reallocated a number of deployed SS-20's into the training category?

Comment:

As specified by the Elimination Protocol, Article II, Paragraph 11, training missiles and launchers must also be eliminated by crushing, flattening, cutting into two pieces of approximately equal size or destroyed by explosion.

Article IX - Data and Related Notifications

AEI Working Group:

The data that really count are those to be exchanged by the Parties 30 days after the Treaty's entry into force. What if the United States disagrees with that data?

Comment:

This data will be verified, on-site, by the initial, "baseline," inspections. If the United States is not satisfied with the data, it will be discussed at diplomatic levels.

AEI Working Group:

The Soviets must only give notification of missile transit 48 hours after it has been completed.

Comment:

This was written into the Treaty by the United States in order to protect against a terrorist attack. The Soviet post-transit

notification data can be retroactively verified by satellite photos.

Article X - Elimination Procedures

AEI Working Group:

The Soviets may be able to separate the two stages of an SS-20 and retain the separate stages indefinitely.

Comment:

Section 1 of the Elimination Protocol states that "all stages of intermediate and shorter-range GLBMs (ground-launched ballistic missiles) shall be subject to elimination.

AEI Working Group:

What could the U.S. intelligence benefit from allowing the Soviets to launch some of their missiles in order to destroy them?

Comment:

These launch eliminations must be witnessed by American inspectors. They will visually observe the missile's characteristics of the stages SS-20 before and after it is launched.

Article XI - Verification: Inspection Provisions

AEI Working Group:

The United States merely has the ability to conduct "short-notice" inspections at sites the Soviets have chosen to make subject to inspections.

Comment:

Again, the AEI group is criticizing the lack of "anytime-anywhere" inspection provisions. Is Mr. Perle willing to grant reciprocal rights to the Soviets within the United States?

AE Working Group:

What is the rationale for the diminishing quota of inspections?

Comment:

The reliability of a missile or missiles declines the longer a country goes without testing or producing them. Because the prohibited items will be eliminated within three years, there will be nothing to see at the inspected sites, so there is less of a need to inspect again and again.

Article XII - Verification: National Technical Means

AEI Working Group:

Given the fact that the Soviets have in the past not complied with the non-interference provisions of other treaties, there is reason to doubt the INF Treaty provision prohibiting such interference.

Comment:

There is no substantiated case in which the Soviets have interfered with national technical means. When Mr. Perle was in the government he was making outlandish charges against the Soviet Union; now that he is out, he quotes them as "administration charges."

AEI Working Group:

The United States may request the Soviets, six hours in advance, to open the roofs of all fixed structures for launchers located at a specific base. In the six hours between notification and implementation, cannot the Soviets simply remove Treaty-prohibited missiles from the site?

Comment:

No they cannot. The missiles must be removed from their launchers and placed in display. The United States can easily monitor this through satellite reconnaissance.

AEI Working Group:

The United States should demand on-site inspection of these missile sites.

Comment:

The United States can inspect the missile base through satellite reconnaissance.

AEI Working Group:

Can the Soviets simply hide a prohibited SS-20 missile inside a permitted SS-25 missile canister?

Comment:

The missile fits tightly with its canister so placing an SS-20 inside an SS-25 canister would not allow the missile to be fired. Also, the Americans will be allowed to inspect the SS-25 canisters leaving Votkinsk.

Article XIII - Resolution of Compliance Issues

AEI Working Group:

Given the poor record of the Standing Consultative Commission, what makes us think the INF Treaty Special Verification Commission will do any better?

Comment

Before being subverted by members of the Reagan Administration, the Standing Consultative Commission was an extremely effective vehicle in resolving treaty disputes with the Soviet Union.

Article XIV - Non Circumvention

AEI Working Group:

Does this create any obligations over and above those contained in other parts of the Treaty?

Comment:

No it does not. The non-circumvention clause is consistent with international law. In the ratification debate within the Soviet government, Shevardnadze has accepted the British and French nuclear modernizations and the NATO tactical nuclear modernization.

Article XV - Duration

AEI Working Group

The Soviets can withdraw the American portal monitoring rights at Votkinsk.

Comment:

We will be there for a minimum of three years and, if production continues, for up to thirteen years. The portal monitoring at Votkinsk will expire only if the plant is closed down and there is nothing going in or out. Once Americans leave Votkinsk, the Soviets must leave Utah.

AEI Working Group:

The inspection rights should last longer than the required 13 years.

Comment:

The shelf-life of on SS-20 missile is only 10-12 years.

Preamble

AEI Working Group:

The preamble should not have simply focused on the special threat from nuclear war.

Comment:

When this group is reduced to criticize the preamble, they have sunk too far. To paraphrase Samuel Johnson, "This is really the last refuge of scoundrels." Is it Mr. Perle's opinion that nuclear war would not have devastating consequences for all mankind?

Elimination Protocol

AEI Working Group:

A missile stage to be eliminated by burning shall not be an instrument of data collection.

Comment:

The burning would be witnessed by American inspectors, which will also assure that the burnings are not instrumental for data collection.

Protocol on Inspection

Section III

AEI Working Group:

The Soviets retain the right to expel American inspectors.

Comment:

That is true, but the expelled American inspector will be replaced, and the United States has the same rights to expel Soviet inspectors.

Section V

AEI Working Group:

The inspected party will be able to impound equipment or supplies unconnected to the inspection. Could this apply to cameras?

Comment:

Permitted items are listed in the inspection protocol.

Section VI

AEI Working Group:

Will the inspectors be able to enforce the rules requiring that missiles, launchers, etc., not be moved during the pre-inspection period?

Comment:

The inspector must notify the inspected party 16 hours in advance of the short-notice inspections. Within one hour of notification of specific site, nothing can go in or out of the inspected base. This will be monitored by satellite reconnaissance.

AEI Working Group:

The Soviet inspectors will be allowed to travel within 50 kilometers of Magna Utah. This allows them to gather intelligence from the defense contractors in Salt Lake City.

Comment:

The Soviet inspectors must always give notification of any travel within the 50 kilometers, and they may be escorted at all times. Also, it is unclear whether Salt Lake City is even within 50 kilometers of Magna.

Article VII

AEI Working Group:

If a suspicious container is said to be an SS-25 canister, we will be unable to look inside it, weigh it, or x-ray it.

Comment:

At Votkinsk, the American inspectors can weigh, measure, and x-ray the SS-25 canisters eight times a year. Elsewhere the American inspectors can measure the container and, more

importantly, use radiation detection devices. These devices can verify whether it is a single-warhead missile or a multi-warhead missile. If the missile contains only one warhead, it may be an SS-20, violating the Treaty.

Section XI

AEI Working Group:

The written inspection report is to be provided to the in-country escort within 2 hours of the completion of the inspection. This hardly allows for serious analysis of the inspection.

Comment:

This initial report is not an evaluative analysis. It is simply a detailed, factual description of the activities of the inspectors.

PREPARED STATEMENT OF GEORGE F. KENNAN

I see no reason why the I.N.F. treaty should not be ratified as it stands, without amendment, and every reason why it should be.

This would be my position even if I based my view on the pattern of premises and assumptions that has underlain almost the entire arms control debate in this country. Actually, I do not. I do not consider the nuclear weapon, so-called, to be a weapon in the usual sense of that term. I cannot conceive of any constructive political purpose it could serve. I consider the mere existence of great quantities of these explosives in human hands to be a danger to everyone, even those that dispose over them. I do not consider nuclear arms necessary for purposes of "deterrence." I know of no evidence that the Soviet regime at any time since Stalin's death has had any incentive to attack this country or Western Europe, or any intention of doing so. No nuclear weapon or other weapon of mass destruction was necessary, therefore, to "deter" it from doing what it had no wish to do. Recognizing that a reasonable balance of military force in Central Europe is necessary as a reassurance to public opinion in the respective countries, I think it highly probable that this balance could be created and maintained, so far as the Soviet Union and the United States are concerned with conventional forces.

I do not advocate unilateral disarmament in either the nuclear or conventional fields. I consider that anything of that nature would be psychologically destabilizing and perhaps even dangerous. I also recognize that so long as third countries persist in cultivating nuclear weapons, neither this country nor the Soviet Union can reduce its nuclear forces below the level of these third-country arsenals. This, however, would permit reductions of by far the greater part of the present Soviet and American nuclear potentials; and the sooner we get on with this, in my opinion, the better. To fail to ratify the recent INF agreement, or to amend it in ways that would require re-negotiation or place in question our good faith, would, as I see it, be to neglect an opportunity that might never come again. Admittedly, this agreement, even when ratified, will be only a small step along the right road; but without it, the greater steps may never be taken; and the dangers the nuclear weapon presents — to ourselves, our children, and our dependents — would then be tragically increased.

**ADDRESS BY DR. W.F. van EEKELEN, NETHERLANDS MINISTER OF
DEFENSE, CHAIRMAN OF NATO EURO GROUP**

"Beyond the INF Treaty: Europe's Security"

George Washington, the first President of the United States, spoke the following words of warning about alliances in his valedictory address: "It is our true policy to steer clear of permanent alliance with any portion of the foreign world". Times have changed, as my presence in your capital two days after the celebration of the anniversary of his birth will bear witness. It is a great pleasure for me, as chairman of the Eurogroup, to be with you today at this lunch-time meeting and to be able to speak to you on the importance of the INF Treaty for the North Atlantic Alliance.

The INF-Treaty banning all the United States and the Soviet Union's land-based medium-range and shorter-range missiles is without any doubt the major political event of 1987. As my counterpart Frank Carlucci said at a hearing of the Senate Armed Forces Committee on 25 January, it is "an enormously favourable outcome to what has been one of the most politically turbulent chapters in NATO's history". I share his view fully and for the following reasons.

When the NATO Foreign and Defense Ministers decided on 12 December 1979 in Brussels to modernise intermediate-range missiles in Western Europe they observed that over the years the Warsaw Pact had built up an extensive potential in nuclear weapons and one which was still increasing. One of the developments they referred to was the introduction of the SS-20. Moreover, the Soviet Union had modernised and increased the number of its shorter-range missiles and considerably improved its conventional forces. These developments were taking place against the backdrop of an increase in the strategic arms capability of the Soviet Union. They were developments which gave cause for concern among the Ministers for they were a source of doubt about the credibility of the strategy of the NATO Alliance.

The INF treaty signifies first and foremost a turn in the tide of these developments. For the first time in thirty years the Soviet Union's intermediate-range missiles will no longer threaten Western Europe.

A second reason why the INF Treaty is of crucial importance to the Alliance is the fact that the Soviet Union must remove more than twice as many missiles and more than four times as many nuclear warheads as the United States. This asymmetry in the balance of forces may be of vital significance in bringing about arms control agreements in other areas in which the Warsaw Pact also has superiority.

Thirdly, the INF Treaty contains stringent verification clauses. Traditionally, the Soviet Union has been a closed society in which military installations are surrounded by high walls of secrecy. The INF Treaty will tear down those ramparts by stipulating that inspections should be carried out prior to, during and after the dismantling of arms coming under the treaty. Military bases and production facilities will be visited by inspectors on site. This arrangement has finally brought about a breakthrough in the field of verification. At the same time it is a hopeful sign for other arms control agreements.

The fourth reason for supporting the INF Treaty is its significance for East-West relations. The treaty is a major contribution to improving these relations, which suffered serious damage in

the late seventies and early eighties. East-West relations are not just about arms control and this is why we should take advantage of the improved relations to seek progress in other fields, such as human rights in Eastern Europe and Afghanistan.

The INF Treaty leaves the Alliance strategy of flexible response basically unimpaired, while eliminating an entire class of arms in which the Soviet Union was superior. Here lies the fifth reason for supporting the INF Treaty. The double zero concept embodied in the treaty certainly does not mean that the Alliance defense posture could no longer rely on nuclear armaments. Once the INF Treaty has been implemented NATO will still have at its disposal a formidable nuclear and conventional arsenal including land-based nuclear weapons as well as nuclear-capable aircraft and submarines. The defense of Western Europe by American strategic arms will still remain unimpaired. Thus NATO will retain a credible nuclear deterrence, albeit that modernisation will be necessary in the longer term, if only because existing systems will become obsolete. An additional factor is that the INF Treaty does not apply to the French and British nuclear arsenals which also contribute to nuclear deterrence.

The INF Treaty eliminates systems which threaten Western Europe without posing a threat to the United States. In a post-INF world only strategic weapons will remain which threaten both sides of the Alliance. A separate threat to Western Europe no longer exists, and - this constitutes the sixth reason - the INF Treaty therefore signifies a strengthening of strategic unity within the Alliance. It will become more difficult for the Soviet Union to drive a wedge between the United States and its European Allies.

Lastly one has to remember that the INF Treaty in its present form is the outcome of a long process of consultation among the Allies. Without any shadow of a doubt, we owe the treaty to the perseverance of the United States in the negotiations and to the willingness of the Allies to implement the modernisation decision. If the American Senate were to refuse ratification or add "killer amendments", it would, as Henry Kissinger recently wrote, sound the death knell of the North Atlantic Alliance. Because the INF Treaty is global in its application and because it removes the threat to the United States' allies in Asia non-ratification could have far-reaching consequences for relations between the United States and its allies.

These seven reasons for supporting the INF Treaty explain why its significance is much greater than emerges from "the fine print of the treaty text". The treaty serves the security interests of Western Europe: that is an opinion which is shared by virtually all the European NATO countries. The INF treaty is referred to as a historic step in the Eurogroup communique of 30 November 1987 and the Defense Ministers urged its ratification and entry into force. It is on behalf of the members of the Eurogroup that I am requesting support for the INF Treaty here in Washington.

Beyond the INF Treaty

My address is entitled "Beyond the INF Treaty: Europe's Security". In the course of the debate in the Senate it has already emerged that the implications of the INF Treaty are wide and that it gives rise to questions about the importance of the conventional defense of Europe and the future of arms control. Because these are matters which command attention in Europe too, I should like to tell you how I see things.

The removal of the intermediate-range weapons will place greater weight on the conventional defence of western Europe. But this is not a new development. In a certain sense the greater importance of conventional defence is the logical result of the introduction of the allies' strategy of flexible response in 1967. This strategy replaced the strategy of massive retaliation which meant that any form of aggression by the Warsaw Pact, conventional or nuclear, would elicit the response of a large-scale nuclear counter-attack. Flexible response changed the philosophy of deterrence by introducing an element of uncertainty about the use of nuclear weapons. The attacker would not know whether, when or how NATO would deploy nuclear weapons in a conflict. But he would know that there was the possibility that they would be deployed and would thus be discouraged from taking risks. Flexible response also means that the deployment of nuclear weapons by NATO at an early stage of a conflict still remains possible although every effort must be made to avoid it. This is why conventional defence assumed a much more important role after 1967 than before.

This development has acquired even more significance in the light of the changes in Soviet military thinking in the past 15 to 20 years. The Soviet Union is increasingly basing its doctrine on the assumption that a military conflict must be decided as rapidly as possible without recourse to the deployment of nuclear weapons. This change in military strategy is coupled with an improvement and an increase in the armed forces of the Soviet Union and its allies. The growing importance of conventional defence is thus not a direct effect of the INF Treaty; it is a structural development in Western security policy.

A consensus exists within the Alliance on how a more equal and secure balance of forces should be brought about in the conventional field. On the one hand an endeavour must be made to improve NATO's conventional defence and on the other hand to eliminate by means of arms control negotiations current imbalances in the conventional field.

As far as the latter is concerned priority must be given to removing the possibility of a surprise attack or a major offensive. The Warsaw Pact not only has superiority in terms of men and materiel; equally important are the organisation and the structure of its conventional armed forces, the deployment of combat-ready troops and the availability of mobilisable units. Despite assurances from Moscow that the military doctrine of the Warsaw Pact is purely defensive, we can be in no doubt whatsoever that the Warsaw Pact has at its disposal a formidable, offensive power which is extremely dangerous to the West. This is why it is important for the West to endeavour to achieve reductions in materiel available for offensive use, in particular tanks and artillery, in the new conventional arms control negotiations which I hope will start this year. Given the existing balance of forces it means that the reductions will have to be highly asymmetrical, i.e. that major Soviet reductions will be necessary. The coming negotiations will no doubt be extremely complex and rapid results are not to be expected.

In any case I believe it to be very important to guard against a too enthusiastic reception of Soviet unilateral measures which may be made in the near future and proposals which make no real contribution to our security.

As regards the strengthening of the conventional defence of Western Europe a number of major initiatives by NATO have been taken in recent years. Examples are the Conventional Defence Improvements Programme for the short-term and the Conceptual Military Framework for indi-

cating priorities in our defence planning for the long term. Of course these programmes must be continued, but in the light of the financial restrictions on the growth in defence budgets which apply to practically all the NATO countries it is also necessary to look for other ways of expanding and improving our defence efforts. What I mean above all is cooperation among the allies themselves. In the communiqué from the last Eurogroup meeting it was pointed out that "the increasing cooperation taking place among the European allies on security and defence matters for a more cohesive and effective European contribution to Alliance defence". Cooperation among the different Western European allies does indeed contribute in no small measure to strengthening the ties between the United States and Western Europe.

Maintenance of close links between the United States and Western Europe in the security field requires that we Europeans make a fair contribution to the Alliance's defence. One regularly hears in the United States that the Western Europeans are not sufficiently willing to contribute to common defence. Congress and the American public occasionally seem to get the wrong impression of the actual efforts being made on the other side of the Atlantic. I should like to quote a few telling statistics. The Western European countries have about three million military personnel in service, the United States about two million. If one includes the mobilisable troops, the figures are six and three million respectively. The European allies, not counting the French and Spanish forces, supply 90% of the land forces, 80% of the tanks and 80% of the fighter planes of the combat-ready forces. 70% of the warships in the Atlantic Ocean and in European waters are European. As of last year, British, French, Italian, Belgian and Dutch ships are helping to ensure a secure passage for oil tankers and merchant vessels through the Persian Gulf. In any case, the INF Treaty was never intended to eliminate the Soviet Union's superiority in the conventional field nor to force the European allies to contribute even more than their present share to NATO defence.

Richard Burt, the US Ambassador to West Germany, made the following comment on this subject not long ago: "For Americans, the key point is: our presence in Europe and our contribution to NATO security is not simply doing the Europeans a favor. We are defending the United States in Europe".

Another interest that the United States and Western Europe share is a common policy vis à vis the Soviet Union. It is perhaps here that the greatest challenge to the Alliance lies. Concepts like "perestroika" and "glasnost" have rapidly become assimilated into our language and Gorbachev's proposals for political and economic reforms, despite their often limited impact, have made a big impression.

Now that the arms control talks seem to be moving it seems to me that the many proposals in this field we have to look at in relation to each other and in relation to our defence planning. Coherence could be promoted by formulating the principles and objectives on which Western policy are based in a comprehensive framework. When I spoke last May at the Eurogroup seminar here in Washington, I advocated the setting up of a framework of this nature. In June 1987 at Reykjavik the NATO Council decided to draw up such a framework within the Alliance. Now that the INF Treaty has been concluded the necessity for such a framework has become all the more imperative. How far can NATO go in reducing nuclear arms? What implication does the INF Treaty have for conventional arms control? What should the relationship be between nuclear and conventional means? How can arms control best serve détente in other fields? We need a common NATO answer to these fundamental questions. That answer must also be a clear

response to the many Soviet arms control proposals. We must avoid a situation where, every time the Soviet Union comes up with a new arms control proposal, "the allies going around sounding as if they had swallowed a battery of fevered frogs", as the Financial Times so colourfully put it some time ago.

We also have to avoid ending up like the crew of the balloon lost in the clouds somewhere above Washington. Suddenly the clouds parted and revealed to the despairing crew a couple of people working on the roof of a skyscraper. The crew called down to them: "Where are we?". The reply from the roof was: "In a balloon". An answer which was of course perfectly correct but utterly useless. It is also the type of answer we can expect if in NATO we were to fail to indicate unequivocally the link between arms control and defence policy and the connection between the various arms control negotiations.

The INF Treaty will mean the disappearance of a whole class of weapons along with a formidable threat to Western Europe. No wonder that the treaty is a source of great satisfaction to the countries of Western Europe. As a European I should like to express my hope that the Senate will submit the treaty for ratification to the President. The ratification not only opens up the possibility of a new period of constructive talks between East and West. The ratification also represents the crown on NATO's perseverance and solidarity. This makes it essential to the security of us all. It is with this message that I have come here. I hope that I have convinced you too, that a plea for the Atlantic Alliance two days after the birthday of George Washington who was so set against alliances of any kind, should not become a plea for a lost cause.

PREPARED STATEMENT OF SIDNEY N. GRAYBEAL

It is an honor and pleasure to appear before this committee. Mr. Chairman, I would like to make a few brief remarks on the INF Treaty, particularly on the verification provisions and their relationship to the forthcoming START agreement. I am more anxious to address your questions than to read a lengthy statement. I hope that my comments will assist in your deliberations on this important step in the arms control process.

The views I will be expressing are strictly my own; they should not be attributed to any government department or agency, or to any private or organization.

Before commenting on the INF Treaty, I would like to present a few introductory remarks related to my own background and to the fields of arms control and verification.

My professional career includes:

- o 15 years in CIA: Chief, Guided Missiles and Space Division
- o 12 years in ACDA
- Member of Delegation on Outer Space Treaty

- Member of SALT I Delegation
- First U.S. Commissioner on the Standing Consultative Commission - the body responsible for implementing the SALT agreements (served 4 years)
- o Director of the Office of Strategic Research in CIA from 1976-79
- o Currently Vice President of Center for Strategic Policy, System Planning Corporation, directly involved in arms control activities including verification and compliance issues

In regard to the role of Arms Control, I want to make three general remarks:

1. Arms control can and should contribute to our net national security. However, we must avoid letting arms control become an end in and of itself.
2. We must avoid overselling the actual or potential contribution of arms control to U.S. national security.
3. Arms control is a step by step process. One cannot formulate or negotiate an arms control agreement that will solve all problems for all time, even in a relatively limited area such as strategic offenses or strategic defenses. We should do the doable, add thereto, and be willing to make the needed changes in existing agreements as may be dictated by advancing technologies, compliance concerns or altered political climates.

There are several points to be made on the subject of Verification:

1. Verification is only one of the criteria which should be used in evaluating an arms control agreement. Political, military, and to a lesser extent, economic factors must also be considered. Unfortunately, verification is becoming the criterion for judging past, present and possible future agreements. Sometimes verification becomes a shield for persons opposed to arms control to hide behind; their motives and substantive positions should be challenged or at least made evident.
2. Arms control agreements must not be based on trust; they never have been and should not be in the future. For arms control to succeed, each party to an agreement must be assured that the other party is complying with its obligations. Thus, verification will continue to be a central factor in evaluating the utility and effectiveness of arms control agreements and of the arms control process.

3. Everyone agrees that we must have "adequate" or "effective" verification, but there is little agreement on the criteria for determining what constitutes adequate or effective verification: it seems to be "in the eyes of the beholder".
4. There are three basic elements of verification: (a) national technical means (NTM), which is essentially our intelligence collection and analyses capabilities; (b) cooperative measures which include counting rules, data exchanges and permitting observations via reconnaissance satellites; and (c) on-site inspections. These elements are interrelated and tend to reinforce each other.
5. With or without any arms control agreements, the U.S. requires extensive knowledge about Soviet military capabilities and intentions. Arms control agreements are monitored by essentially the same means used to acquire intelligence on and assess overall Soviet military capabilities. Increasingly complicated agreements and the application of advancing technologies are pressing U.S. NTM of verification. Our NTM needs to be significantly enhanced and supplemented by cooperative measures, possibly including some on-site inspections to meet the adequate/effective verification criterion.
6. In my view, we should apply "military significance" criteria to potential violations cheating or circumvention instead of political significance criteria where any minor deviation has political implications. The military significance criteria means that an adequate/effective verification system assures the ability to detect and identify any attempted evasion which occurs on a large enough scale to pose a significant risk to the United States, and we can do this in ample time to mount a sufficient response.
7. We must resolve outstanding compliance issues in a mutual satisfactory manner. Soviet noncompliance and apparent unwillingness to clarify several ambiguous situations are jeopardizing the whole arms control process. Unresolved compliance issues tend to fester into untreatable wounds. We must have a clear policy for the question: "After noncompliance, what?"

THE INF TREATY

In my view, the INF Treaty is in the U.S. interest, and that of our allies, and should be ratified. It is a useful step in the

arms control process, but only one relatively small step. It is essentially a political instrument with limited military significance. However, we must not be satisfied with this agreement alone; we must rectify the conventional imbalance, either via further arms control or via U.S. and Allied actions, and we must strive for a militarily significant agreement in the strategic area of START.

The INF verification regime is by far the most comprehensive and intrusive regime ever successfully negotiated. However, it is not 100 percent foolproof; it is unrealistic to expect any verification regime to be perfect. In my opinion the INF verification provisions are more than adequate to meet the military significance criteria, particularly for an agreement of limited military significance. This is unlikely to be the case for a START agreement.

The United States going in position required very extensive verification provisions including short-notice, mandatory challenge inspections of certain facilities where illegal missile activity could be carried out. It soon became clear, particularly when the Soviets accepted challenge inspections, that this was a "two-edged sword", and that we were facing a "Catch 22" situation.

- We wanted the ability to inspect any suspect facility on short notice to assure that there were no illegal treaty limited items present. However, this meant that the Soviets would have equal rights and such inspections could jeopardize U.S. security interests.
- the "Catch 22" emerged when it was recognized that if any facilities capable of containing treaty limited items were excluded from such on-site inspections for security reasons, then there would be a loop-hole for evading the agreement by hiding treaty limited items in the excluded facilities.

Obtaining the "double zero" agreement minimized the problems by removing the missile systems infrastructures necessary for achieving a militarily significant evasion of the treaty. This will not be the case in a START agreement limiting rather than eliminating weapon systems.

The on-site inspection provisions of the INF Treaty are limited to declared facilities. Such inspections are a deterrent

to possible cheating; they may be more inspections than is required for this purpose. The detailed data exchanges are a very useful feature of the INF verification regime. The extensive notifications called for in the treaty will assist in monitoring its provisions.

On-site inspections can contribute to achieving adequate or effective verification; however, they are not the panacea that many profess.

On-site inspections can deter cheating and make it more difficult and costly; they will not prevent a determined violator.

There are three general types of on-site inspections, each with its strengths and weaknesses:

- Routine or short-notice inspections of declared facilities can contribute to confidence in the agreement and make cheating more difficult, as in the INF Treaty.
- Invitational inspections can remove ambiguities and reduce uncertainties. These should be given more attention.
- Short notice challenge inspections of suspect sites are highly unlikely to reveal any violation, could be detrimental to U.S. security, and could become a basis for undermining the confidence in the agreement by the manner in which they are implemented. There is also the danger that having achieved some form of such on-site inspections, they will be over-sold and thus generate a false sense of security. In my view, the disadvantages of such "any where", "any time" inspections exceed their advantages, and we may be well advised to rely on our national technical means supplemented by cooperative measures and some limited on-site inspections for deterrence purposes. This view also applies to the verification regime for a START agreement.

There is likely to be a valuable synergistic effect among NTM, cooperative measures and on-site inspections; the whole will be greater than the sum of the parts.

THE INF "SPECIAL VERIFICATION COMMISSION" (SVC) AND THE SALT
"STANDING CONSULTATIVE COMMISSION" (SCC)

The INF Treaty calls for the establishment of a "Special Verification Commission" (SVC). The ABM Treaty of 1972 established a "Standing Consultative Commission" (SCC), which was also involved in SALT II implementation and compliance issues. The functions of these two bodies are essentially the same, namely, to resolve compliance questions and to agree upon measures to improve the respective treaties. Both bodies are required to meet at the request of either party. In my view, the SCC has proven to be an effective forum for implementing the SALT I agreements and for resolving most compliance issues in a mutually satisfactory manner. I do not see the need for establishing a new separate body, the SVC, for the INF Treaty. I would recommend that serious consideration be given to combining the SCC and the SVC into a single body responsible for handling implementation and compliance issues for the ABM Treaty, the INF Treaty, and the forthcoming START agreement.

COORDINATING THE IMPLEMENTATION OF THE INF TREATY

The INF Treaty consists of seventeen basic provisions, an inspection protocol, an elimination protocol, and a memorandum of understanding. The Treaty and associated documents are extremely complex, and their implementation will involve many organizations in those U.S. Government departments and agencies involved in national security matters. In addition to the SVC, currently in ACDA, at least two other bodies and one activity will be involved. The Nuclear Risk Reduction Center (NRRC) will provide continuous communication abilities for exchanging data, receiving notifications, and requesting cooperative measures; this Center will probably be operated by the State Department. In order to implement the extensive on-site inspection activities, both in the U.S. and U.S.S.R., a separate organization entity will be established in the Department of Defense, currently called the On-Site Inspection Agency. The intelligence community will continue to provide detailed monitoring reports, now also covering the provisions of the INF Treaty. Because of the interrelationships between these INF Treaty-related bodies and activities and those associated with other arms control agreements, I believe the Executive Branch would benefit from an NSC-chaired interagency committee which would assure coordination of

these diverse functions and over-all effectiveness of U.S. implementation of arms control agreements.

SUMMARY

1. I believe that the INF Treaty is in the U.S. interest, and that of our allies, and should be ratified.
2. The INF Treaty is a small but useful step in the arms control process and could lead to much more militarily significant agreements in the START and conventional arms control areas.
3. The INF Treaty verification regime clearly meets the adequate/effective verification requirements, particularly if one applies the "military significance" criteria.
4. The INF Treaty verification regime provides a useful precedent for a forthcoming START agreement; however, the verification requirements for START will be significantly more demanding and thus requiring additional, independent, and rigorous analyses.
5. Implementing the INF Treaty is going to be a costly and demanding process. We should exercise considerable care and be ready to learn from this experience; particular attention should be devoted to those lessons applicable to a START verification regime.

Thank you for the opportunity to appear before your committee. I hope my comments prove useful in your consideration of this important treaty.

PREPARED STATEMENT OF DR. JOSEPH D. DOUGLASS, JR.

It is a distinct pleasure to accept your invitation to appear before the distinguished Senate Foreign Relations Committee during its deliberations of the INF Treaty. Arms control is a topic of the greatest importance both to the security and to the survival of our nation and other nations as well. Our forefathers planned well in deciding that any actions so critical to the nation should be subjected to careful review by the Congress. Certainly, the INF treaty is especially important in this regard not only as it affects the balance of power in Europe but also because of its implications for strategic arms reduction negotiations.

Today I have been asked to share with you some insights into

the nature of Soviet interests in arms control. To a considerable degree, how one judges or evaluates an agreement depends upon one's view of the nature of the participants. In the case of arms control, the nature of the Soviet Union becomes an extremely relevant consideration, especially in evaluating the terms respecting verification and compliance. Of particular importance is the nature of Soviet interests and intentions to comply or not to comply, or to circumvent or simply to live up to the spirit of the agreement. How we view Soviet intentions may well be one of the most important factors influencing our assessment of whether the mechanisms for verification are adequate or not. How intrusive they are, or how much work was expended in negotiating the terms is really not what counts. What counts is the adequacy of the product, and this in turn depends on how likely the Soviets are to violate or circumvent the terms of the agreement.

It is with this in mind that I would like to provide you with some insights into Soviet intentions that emerged during a study of Soviet arms control strategy that I conducted in 1986.¹ This arms control study is somewhat unique because, while I was able to draw on the wisdom and expertise of many highly competent Western scholars, in the end, the analysis was based mainly on the first hand knowledge and expert judgments of former communist officials who had defected to the United States.² Additionally, Soviet literature was used to provide examples and to document certain aspects of their testimony. While there are many studies based on the analysis of Soviet literature and discussions with official Soviet representatives, this is the only effort that I am aware of where former communist officials were asked in detail about their knowledge of Soviet strategy in arms control. What I want to share with you is their knowledge and beliefs.

The study was undertaken to gain insight into the question: "Why do the Soviets violate arms control agreements?" In the process of addressing this question, a variety of subjects were examined; for example, Soviet political strategy, the role of arms control in Soviet strategy, how the Soviets view the United States, problems respecting U.S. views of Soviet policy, Soviet cheating and deception practices, and Soviet risk assessment. In each subject, the judgments of the former communist officials received the emphasis in the analysis.

The nature of the knowledge of the former officials who contributed to the study varied considerably. One individual had extensive high-level detailed experience. Another had high-level general experience and understanding. Several had lower-level operational experience in selected aspects of Soviet arms control

activity. Most had extensive understanding of how the Soviet system operated and what the critical factors were. Most of the data collected is new and heretofore has not been publicly available. None of the former officials I worked with had been previously debriefed on their knowledge of Soviet arms control, which in retrospect seems unfortunate considering the importance of arms control in U.S. policy over the past thirty years.

The most surprising aspect of the study was the degree of unanimity among the judgments of the former officials with whom I worked. There were no disagreements or conflicts. Their testimonies were mutually reinforcing and, in several instances, overlapping. Often, where one person would provide a general statement regarding some aspect of the process, another would provide specific details that fully corroborated the general statement.

The most surprising insight into the Soviet process that was provided by the former officials was the importance of Marxist-Leninist ideology. This is surprising because of the prevalent belief in the West that ideology is ineffective, outmoded, or simply dead.³ As explained by the former officials, however, this is not the case. Indeed, ideology remains the basis of Soviet goals, strategy, tactics, and of their principles of organization and control. They stressed that it is essential to understand Marxism-Leninism to understand Soviet strategy for arms control because Soviet arms control strategy is an integrated component of their overall long-range strategy that incorporates the principles of Marxism-Leninism.

The Soviet arms control strategy, as distinct from their general and complete disarmament propaganda, emerged in the early 1960's as a long-term strategic military and intelligence operation.⁴ Its long-term nature is particularly significant. The Soviet arms control planning horizon extends twenty years and beyond.⁵ In planning arms control, the Soviet General Staff, which is where arms control planning is centered, begins with their own weapons acquisition plans that are required to satisfy the needs of the military operational plans. This further brings out the strategic nature of Soviet arms control, in contrast to what it might be if it were a mere tactical or opportunistic move.

Soviet arms control strategy serves a variety of strategic objectives, of which the more important ones identified by the former high-level communist officials are:

- o to enable the Soviet Union to gain decisive military superiority,

- o to confirm Soviet intelligence on Western capabilities and plans,
- o to obtain further intelligence on Western military capabilities and technology,
- o to mislead the West as to the nature of Soviet intentions,
- o to set the left and right wings of Western societies against each other and to drive a wedge between the United States and its allies,
- o to recruit the third world in support of Soviet policies,
- o to facilitate technology transfer and economic assistance, and
- o to recruit non-military industries in support of Soviet policies.⁴

These objectives were stated by top Soviet officials in meetings or spelled out in official Soviet documents that the former officials attended or read. Additionally, there were statements on what arms control was not to accomplish; for example, it was not to enable the enemy (the United States) to obtain information on Soviet capabilities or plans.

Respecting Soviet plans, beginning in 1967, the Soviets provided its East European satellites with relevant portions of the Soviet "Long-Range Strategic Plan for the Next Ten to Fifteen Years and the Years After" so that satellite long-range planning could be coordinated with the Soviet long-range planning. The long-range Soviet goals, planning, and coordination contained in this plan are, in my judgement, the most important information pertaining to the security of the United States that I have encountered in my twenty-five years as a defense analyst. Somehow it seems tragic to me that the former high-level official with the detailed knowledge of this plan has never been debriefed on the nature or details of this plan⁷, which are as relevant now as they were when the plan was adopted, which is believed to be roughly 1971. The primary focus of this plan was the destruction of the West, most specifically, of the United States.

Arms control figured prominently in this long-range planning and coordination activity. Three issues in particular received the most attention:

- o First, how to get the United States and NATO to reduce or give up their strategic capabilities.
- o Second, how to ensure that any agreement would operate to the advantage of the Soviet Union.
- o Third, how to hide weapons and weapons development programs.⁸

The third issue introduces Soviet strategy of cheating and deception, which is a strategy that is carefully planned and implemented. Cheating and deception are very important activities; so important, in fact, that the responsibilities are considered to be among the most important responsibilities of all high level officials, beginning with, the General Secretary of the CPSU.⁹

Deception planning is an integral part of the Soviet decision process. Each decision that is reached by the Defense Council, which is the most important Soviet organization in matters of national security, the military, intelligence, deception, and arms control, is well prepared before the actual decision is made. This preparation includes detailed planning for related secrecy (who is to be told what), assignment of tasks required to implement the decision, assignments for monitoring the implementation, and deception, which is the "political plan" designed to facilitate implementation of the decision. In the case of arms control, cheating and deception are in the planning process even before negotiations begin. This is one reason why the long-term nature of Soviet arms control strategy is so important -- cheating and deception plans; that is, how to hide the weapons and weapon development programs -- are formulated and implementation is initiated well in advance of any agreement.

Not only is cheating and deception prepared in advance, but also the response to take should the cheating be detected is planned in advance. The basic strategy of response is called "offensive denial".¹⁰ This means that the response is first to deny any cheating and then to blame it on the enemy, in the case of arms control, on the United States. But even this is not where the planning stops. It also includes the planning to develop the political context so that both the denial and shifting of blame are maximally believable. This is generally produced by a propaganda and disinformation campaign, which is implemented immediately so that it is in place when the accusations arise and the offensive denial campaign goes operational.

A good example of this process in action is the nuclear test moratorium, which was entered into at the start of the arms control process in the late 1950's and which the Soviets broke in the fall of 1961 with the largest atmospheric test series any nation has ever conducted, including high altitude tests and explosions in excess of 50 Megatons. In preparation for their resumption of testing Khrushchev convened a meeting of Warsaw Pact leaders in Moscow in early 1961. The purpose of the meeting was to orchestrate a massive peace campaign that would be used to

cover the test preparations and deflect the attention of the West. Khrushchev opened the meeting by stating that the Soviets were going to break the moratorium later that year. It was essential to resume testing, he went on to explain, to advance Soviet nuclear capabilities, to show they were not scared of the United States, to separate the left and right wings in the United States, to enable the Soviets to talk to the United States as equals, and to facilitate Soviet propaganda against Europe. Later in the meeting, he added that the tests would also serve to scare the West. A propaganda campaign was to be initiated immediately to show the Soviets were more interested in peace than the United States. The propaganda would also raise the problems of war and nuclear weapons, for example through propagandizing German military adventurism, and hence "justify" the Soviet actions as only a sensible defensive response.

One of the former officials who contributed to this study was present at the meeting. He also recalled that during the meeting Wladyslaw Gomulka, first secretary of the Communist Party of Poland, asked Khrushchev how the nuclear testing fit into the Soviet strategy of "peaceful coexistence." Khrushchev's response provides an excellent example of the Soviet mind-set and of Marxist-Leninist ideology in practice. Khrushchev's response was that the test was for peace. How can you make peace, he asked categorically, if you are weak?

The Soviets assumed the United States would, in turn, resume testing, and the plan was to blame the United States after the Soviet test series. A meeting to implement this second phase was convened in Moscow in November after the Soviet test series. In attendance were the key officials involved in propaganda and deception: the Secretaries in charge of ideology and propaganda, officials from the Main Political Administrations in charge of the Departments of Special Propaganda, and so forth.

The actual response in the press to the resumption of testing by the Soviet Union is most illuminating. The response in the Western news media to the Soviet test series was rather mild. The real adverse response did not come until President Kennedy announced the resumption of U.S. atmospheric testing in the spring of 1962, and then most of the media rhetoric was against the U.S. resumption of testing.

The Soviet propaganda response is best illustrated by Khrushchev's statements at a news conference he held on July 13, 1962. Felix McKnight, editor of the Dallas Times Herald, raised the breaking of the moratorium.¹¹ Khrushchev responded that the Soviets were not the first to test or use nuclear weapons, the United States was the first. The Soviets did not terminate the

moratorium, he stated. Rather, they were only responding to the U.S. test series conducted before the moratorium went into effect. The Soviets had hoped that a treaty ending all tests would be signed. They "...honestly took part in the talks, until the U.S. President declared a mobilization of the armed forces and began to threaten us with war. It was then that we decided to carry out nuclear weapons tests in order to prepare our army better in case the U.S. President actually carries out his threat and unleashes war against the Soviet Union. But even in that case the Soviet tests were a reply to tests previously made by the U.S.A. No one can say that we broke the moratorium."

As a post script to this, in the fall of 1962, Soviet officials explained to an assembly of Warsaw Pact officials that a nuclear test ban treaty, which was then being negotiated, would show the Soviets leading the battle to control the arms race and forcing the United States to capitulate. The treaty would enhance the Soviet "peace-loving" image and whet the appetite for arms control of those in the West with influence over policy -- academics, journalists, scientists -- by demonstrating that it was possible to pressure the imperialists into signing agreements. At the same time, the officials emphasized that the test agreements would not stop the development of Soviet nuclear forces and that when it was necessary to resume testing they would not hesitate to do so and the satellites would be notified in advance so that they could join the Soviets in blaming the West for breaking the treaty.¹²

In Soviet strategy, and especially in their arms control strategy, one of their most important instruments, which can be seen in the above examples, is the use of the media. A major initiative to capitalize on the Western media was initiated in the late 1950's with the reorganization of the Inform Bureau, which was the reincarnation of the old COMINTERN, into the International Department and the transfer of the Headquarters of Peace and Socialism to Prague.¹³ This immediately preceded the creation of Department D (Dizinformatzia) in the KGB. In 1960, the Soviets were estimated to be spending \$2 billion per year on propaganda and disinformation.¹⁴ In 1961 Novosti Press Agency was formed to assist the KGB and the International Department in propaganda and influence operations.

This propaganda and disinformation was so successful that in 1962 the Soviet Defense Council explicitly stated that the news media had been determined to be the most effective means to use in influencing U.S. policy. This statement was contained in a top secret Soviet Defense Council Directive "To Improve the Exploitation of the Press at the Present Stage in Peaceful

Coexistence." The document set forth the instructions for intensifying Soviet influence and intelligence activities that would exploit the world media in support of Soviet policy.¹⁵ One of the principle activities was the increased education of Soviet news representatives. An increase in Soviet news representatives and associated language training was also in the plan. Additionally intelligence infiltration (penetration) and use of agents of influence was discussed. A major portion of the directive was the enumeration of twenty-four major tasks that were established as the cutting edge of the intensified effort. The use of the media is an especially important aspect of Soviet strategy, especially their arms control strategy.

Another interesting example concerns the 1967 treaty prohibiting the placing of weapons of mass destruction in space, which began with a U.N. resolution that was passed on October 17, 1963. A Soviet Defense Council decision not to comply with the resolution was reported in a highly classified Soviet report and the decision itself was discussed in the Czechoslovak Defense Council in 1966 in conjunction with a discussion of Czechoslovak participation in research and development programs prohibited by the resolution and subsequent treaty. Attached to the Soviet report on the Soviet Defense Council decision was a copy of the special order from the Soviet Defense Council to the USSR Minister of Defense, Minister of Interior (under whose direction falls the KGB), and the President of the Academy of Sciences directing that all activities in violation of the resolution were to be kept secret.

Similar instructions were attached to the Czechoslovak Defense Council directions regarding their activities in violation of the treaty: specifically, that there would be no mention of military applications of space below the top secret level, that work performed under the cover of the Academy of Sciences would be deleted from any documentation that went to the Politburo (the Politburo does not have automatic access to secret military or intelligence information), that all Czechoslovak scientists who were to participate in the program would have to pass an additional security background investigation in which the Soviet KGB military counterintelligence would participate, and that all this work would be under Soviet direction channeled through the Czechoslovak Ministry of Defense.

The "political plan" designed to support the decision began with an order from the Czechoslovak Defense Council to the Department of Special Propaganda at the Ministry of Defense, the Ministry of Interior, the Administration Department, and the Foreign Department. The order directed these departments to

prepare, based on Soviet guidance, a propaganda campaign to be employed against the West, accusing it of exploiting space for military purposes.

As a postscript to this example, nine months after the Treaty banning weapons of mass destruction in outer space was signed, a Czechoslovak military plan that contained references to the military use of outer space, referring to the work underway in violation of the treaty, was sent to the Soviet Union for approval. Marshal Zakharov, then Chief of the Soviet General Staff, was extremely mad that any such reference should even appear at the top secret level. It was, he stressed, impermissible at any level below that of "State Importance," the Soviet classification above top secret.¹⁴

A variety of other examples in the arms control areas, and other case material that provide both the theoretical and practical details of Soviet cheating and deception in matters affecting the United States, NATO, and other nations, are also presented in the study, Why The Soviets Violate Arms Control Treaties, which has been cleared for open publication and is being published this month by Pergamon-Brassey's. For the purposes of this hearing I have tried to distill out a few of the more important points and include a few real-life examples.

In looking back over this study, none of the former officials who participated was in any sense confused or hesitant about Soviet objectives in arms control. It was clearly a strategic military and intelligence operation designed to enable the Soviets to gain decisive military superiority and economic assistance. They saw no mutuality of interests between the Soviet Union and the United States. They did not believe the Soviets would sign any treaty that would not operate to both their political and military advantage, and they could see no basis for any change in this pessimistic (from the Western perspective) assessment because the Soviet strategy had been so successful in the past and, because they believed it would continue to be successful.

The prospects for change certainly is a very relevant consideration. There have been changes since the former officials defected to the United States. Certainly, Gorbachev appears to be quite different from Khrushchev or Brezhnev. On the other hand, the system itself does not yet appear to have changed. Indeed, this is one of the big problems facing Gorbachev. The objectives and principles of the Party, which is the dominant controlling force remain more or less what they were ten years ago, and twenty years ago, and more. And still further, the critical individual who was present at the creation

of Soviet arms control strategy and responsible for running the Soviet arms control strategy in the mid-1960's would appear to still be the man in charge. How much the Soviet Union has changed or remains the same is something you will have to judge for yourselves. Certainly, the former officials who contributed to this study do not see much change -- at least not any change for the better (from the Western perspective).

As regards cheating and deception, they believed the Soviets will continue to deceive and cheat whenever they believe that will advance their cause. Cheating and deception is called for in Soviet ideology and it would be a crime not to cheat to gain a strategic advantage. Again, drawing upon the past experience, there is no reason for the Soviets not to cheat and deceive simply because there has been no penalty associated with cheating and deceiving.

End Notes

1. The study, Why the Soviets Violate Arms Control Treaties, has just been published with the cooperation of the Institute for Foreign Policy Analysis, Inc., Cambridge, Mass. and Washington D.C., by Pergamon-Brassey's International Defense Publishers, Inc. Washington.

2. The officials who contributed to the study and their prior affiliations are described in Why The Soviets Violate Arms Control Treaties, pp. 2-4.

3. Ibid pp. 3-7.

4. Ibid, p. 44.

5. Ibid, p. 47.

6. Ibid, pp. 48-49.

7. Ibid, p. 8.

8. Ibid, p. 49.

9. Ibid, p. 64.

10. Ibid, pp. 70-73.

11. Ibid, pp. 72-73.

12. Ibid, p. 64.

13. Ibid, p. 43.

14. The Technique of Soviet Propaganda, A Study Presented by the Subcommittee to Investigate the Administration of the Internal Security Act and other Internal Security Laws of the Committee on the Judiciary, United States Senate, 1960, p. iii.

15. Why The Soviets Violate Arms Control Treaties, op. cit., pp. 45-46.

16. Ibid, pp. 64-66.

PREPARED STATEMENT OF RALPH EARLE II

I greatly appreciate being invited to express my views regarding the Intermediate-Range Nuclear Forces (INF) Treaty and its implications for American and NATO security. This is the first time in over eight years that this Committee has considered ratification of a new arms control treaty, but opportunities exist to complete a number of other, more significant treaties in the near future. These opportunities must not be allowed to pass by; therefore, Senate action on the INF Treaty will cast a long shadow into the 1990's and beyond.

First, I would like to state my firm support for the INF Treaty, both for its political and military advantages. I urge its swift ratification as signed on December 8 by President Reagan and General Secretary Gorbachev. The Treaty must not be weighted down with crippling amendments which, far from strengthening the Treaty, would only serve to halt the current arms control momentum in its tracks. Worse, rejection of this Treaty would undermine NATO security and mandate a future of spiralling nuclear and conventional armaments in both the Warsaw Pact and NATO forces.

I am here to support the INF Treaty not only as a former U.S. arms negotiator and Director of the Arms Control and Disarmament Agency, but also in my current role as National Policy Director of the Lawyers Alliance for Nuclear Arms Control, a non-profit, non-partisan, national organization composed of some 7,000 lawyers which joins me in support of the Treaty as a significant step for American national security.

To be sure, the INF Treaty is not perfect. Every Treaty, like every sensible compromise, is imperfect. But, while it is a long, complex document, and deserves close scrutiny, senators should focus on what the Treaty does -- not on what it does not do. We must not let the best become the enemy of the good.

The Treaty's advantages are numerous and by now most of you are familiar with them, but it is important to recount some.

The Soviet modernization of their intermediate-range forces caused great anxiety among our allies, who worried that America was unwilling to sacrifice its own resources in defense of Western Europe. Now, through a deft combination of deployment and negotiations, that very Soviet threat has been eliminated. In addition, our Asian and Pacific allies such as Japan and South Korea no longer face Asian-based Soviet intermediate range forces.

To discard the Treaty now would undermine the solidarity and support the United States has received from our allies around the world. Moreover, with Soviet General Secretary Mikhail Gorbachev's popularity leading in many public opinion polls, America's commitment to peace and security would be further doubted.

In addition to neutralizing a Soviet missile threat, the INF Treaty improves the historically suspicious U.S. -Soviet relationship through its unprecedented verification provisions. Never before have the Soviets willingly allowed Americans such deep access into their territory, and, if the Treaty is rejected, will almost certainly never do so again, at least in our lifetimes. Effective verification of arms reductions can largely be achieved through our significant satellite and intelligence capabilities. But, politically, the on-site inspection provisions are of historic importance; and they do permit limitations which cannot be verified by national technical means.

It is also important to remember that this Treaty has relatively little effect on American military capabilities. With the 4,000 remaining American nuclear weapons, as well as those of our allies, Europe is not de-nuclearized. With the maintenance of 325,000 American troops and their dependents, European security is not de-coupled from American defense forces.

What this Treaty does is put arms control back on the track following a hiatus of eight years. It puts the signature of a

conservative American president on an arms control pact, lending the process further credibility with the public and in Congress. This Treaty can, and should, be used to galvanize support for further reductions in conventional and strategic nuclear arms.

That said, I would like to address a point which is of considerable concern regarding the future of both this treaty and any completed in the future. That is the matter of the authority of Administration witnesses when presenting the treaty to the Senate. Certainly I do not need to amplify the critical role that the Senate plays in defining the future direction of United States security policy. The Senate's constitutional prerogative to debate consent to treaty ratification is one of the bulwarks of the relationship between the Executive Branch and Congress.

Therefore, the questions raised in recent years by the Legal Advisor of the State Department have troubled me and the Lawyers Alliance for Nuclear Arms Control. As a lawyer concerned with the ratification process as governed by the U.S. Constitution, I find it almost incredible that one can argue that, years after ratification, in order to resolve an alleged ambiguity, a further review of the negotiating record by people not involved in that negotiation can take legal precedence over the contemporaneous testimony of those who did participate. It is bad policy -- it is bad law.

Furthermore, as a former negotiator, I can assure you that the proposed policy can only have a chilling effect on flexibility in future negotiations. If every proposal and counter-proposal made in the course of a negotiation lasting several years can later be scrutinized for meanings, even if unintended by the participants, our negotiators will be stultified and their efforts to achieve satisfactory agreements will be compromised.

Finally, when one talks of reviewing the "negotiating record," one should be clear about the subject matter. Other

than the plenary statements and the agreement itself, the record is merely a mass of unilateral memoranda prepared by one side. Accordingly, should a memorandum of conversation prepared by Negotiator "X" in 1990 and reviewed in 1995 by Lawyer "Y" have any greater, or even as great, import as Senate testimony on the same subject by Negotiator "X" in 1990? Clearly not. A future administration should not have the option of redefining a treaty's terms by dismissing the Executive Branch testimony as "not authoritative."

I understand that some senators are considering a condition on Senate consent to ratification of the INF Treaty which would forbid a future interpretation, without corresponding Senate approval, which differed from the common understanding regarding the INF treaty reached by the Executive Branch and the Senate in the course of the current ratification process. I support adoption of that condition. One would hope that this Administration would also accept the condition without opposition since it merely confirms long-standing constitutional principle. Although I, and others, have been urging an unconditional ratification of the INF Treaty, this is a different issue -- failure to resolve it will undermine the development of future American arms control policy, our negotiating leverage with the Soviets, and the United States' credibility with its allies.

Thank you.

PREPARED STATEMENT OF JONATHAN DEAN

I much appreciate this opportunity to contribute some comments to the Senate consideration of the Intermediate Nuclear Forces Treaty.

At the outset, I would like to describe the three main points I would like to leave with you today.

First, the main military effect of the INF agreement is to

improve NATO's theater-range nuclear position while enhancing crisis stability. Consequently, the INF agreement creates no new need to improve NATO's nuclear forces. It makes no sense to build down nuclear weapons with one hand and build them up with the other.

Second, as regards the impact of INF on the conventional balance in Europe, NATO conventional forces have well-known shortcomings. Nonetheless, these forces were adequate before INF to make most improbable the kind of Soviet attack NATO has most feared, an attack with minimum preparation -- a so-called surprise attack. NATO conventional forces will be all the more adequate for this mission after INF is implemented. Therefore, no special strengthening of conventional forces is required by the Treaty.

Third, in its asymmetry of reductions and in its verification provisions, the Treaty considerably improves the prospects for negotiated reduction of Pact and NATO conventional forces. We should seize this opportunity now, for two reasons: First and foremost, because the NATO-Pact military confrontation in Europe is becoming more obsolete with each passing year. The confrontation no longer has any functional justification at its present level and that level should be sharply lowered.

And we should seize the opportunity now because the circumstances which have produced Soviet flexibility on arms control may not last indefinitely.

Let me present some of the reasons underlying these three main points, beginning with the security gains for NATO from the INF Treaty.

As regards the theater nuclear balance, after INF is implemented, the Soviet Union will have about one thousand fewer nuclear missiles targeted on Western Europe than it had in 1980, when the INF talks started.

But the US will not lose a single delivery system it had deployed in Europe in 1980 as the result of this agreement.

British and French nuclear forces, exempted from coverage in the treaty, have been increasing steadily since the negotiations started; for example, they have doubled the number of their submarine-launched warheads since that time -- and are still increasing.

With INF, the Soviet Union has lost the only delivery systems of sufficient accuracy, precision and penetration capacity suitable for conducting limited nuclear war in Europe at the beginning of a conflict or during it. The targets of Soviet INF attack would include our nuclear weapons sites and the airfields and ports needed for rapid reinforcement from the US.

The Soviet Union has other nuclear missiles which it could substitute. But none have the same qualities of speed, accuracy, and limited yield for use against such targets. And most alternate systems of adequate range on both sides are less vulnerable to preemptive attack at the outset of a conflict. There is a gain here in crisis stability.

The Soviet Union has also lost a second category of missiles, those of 500-1,000 kilometer range, in which they also had numerical superiority over the West. These missiles were beginning to achieve the accuracy which would have made it possible to use them with conventional and chemical warheads at the outset of war for behind-the-lines attack on NATO airfields, ports and command centers.

NATO took this danger so seriously that it was considering development of expensive defense systems against them. Now, Soviet conventional and chemical capabilities are considerably reduced, and NATO should be spared the cost of defense systems.

A small minority of European critics believes the INF Treaty could weaken nuclear deterrence by reducing the chances that an American president would decide to use nuclear weapons in the event of overwhelming Warsaw Pact attack on Western Europe. They argue that Pershing II -- although deployed for only three of the forty-three years of post-war peace in Europe -- was indispensable in maintaining that peace.

Aggressive Soviet attack on Western Europe is very unlikely. The Soviet Union can neither win Western Europe nor hold it without risking its entire system. But, if war in Europe does come, the existence or non-existence of land-based intermediate-range American missiles deployed in Europe will not be a major factor in an American decision to use nuclear weapons in defense of Europe.

Nor are Pershings or GLICMs the only American delivery systems which could strike Soviet territory in a limited strike designed to bring a decision by Soviet leaders to negotiate an end to the conflict. Other delivery systems can take on this mission. Given this aspect and the existence of many thousand nuclear warheads in American and Soviet arsenals, plus UK and French nuclear forces, the risk that any conflict in Europe could develop into nuclear conflict remains high, both as objective fact -- and in the minds of Soviet leaders. Even if, as is desirable, there are further negotiated nuclear reductions in the future in Europe, it seems clear that some nuclear weapons will remain in and around Europe.

And there are important gains from INF verification -- not

only deterring cheating, but opening up the whole Soviet military complex to observation and undercutting the Soviet tradition of secrecy.

To sum up, INF brings a decided diminution in Pact capacity for sudden missile attack, nuclear or conventional, and an increase in crisis stability. To this degree, war in Europe will be even less likely after implementation of the Treaty than before it.

European governments and strong majorities of public opinion endorse the INF Treaty. It is also true that the entire INF episode -- deployment, negotiation and agreement to eliminate-- has caused some friction with a wide spectrum of European leaders. But almost all of them have concluded that the only practical answer to the divergence they see in US and European security interests is intensified defense cooperation among Western European countries. Indeed, at some cost in US-European relations, INF has done more than any event of the past 40 years to promote a European feeling of responsibility for their own defense and for intra-European defense cooperation. The costs here seem considerably outweighed by the gains.

Because the INF Treaty brings an important net gain for NATO security, it clearly brings no additional reason for increasing NATO conventional forces. After INF, the conventional forces issue becomes more prominent in the sense that, when the heavy-weights are eliminated, the center of interest shifts to the middleweights. But increased Western interest in conventional forces does not mean increased conventional vulnerability.

During the eight years I was with the MBFR talks, I reviewed the relationship between NATO and Pact forces almost daily, and this work left me with some firm conclusions: NATO's forces are adequate to deal with limited preparation attack, the contingency

which NATO leaders still fear most. NATO has outspent the Pact for twenty years and it has more men in the Atlantic-to-the-Urals area, which contains the forces which would be involved in war in Europe, both active duty and reserve personnel, than the Warsaw Pact.

The Warsaw Pact does have numerical superiority in many major armaments and in units. It is highly doubtful that this numerical superiority can be converted to combat effectiveness for surprise attack.

In ground forces, about half the Pact's numerical superiority in arms and units is in Category III reserve divisions which take 30-90 days for mobilization.

- These units are not usable for surprise attack or minimum preparation attack. The scenarios which posit that these reserve units would arrive as cohesive combat-capable units in the combat zone within two weeks are based on improbable estimates of the efficiency of Soviet preparations, organization and transportation.
- For surprise attack purposes against NATO's vital Central Front area, the Soviet Union has 26 ready divisions in the forward position in Eastern Europe.
- It can not use all these in a surprise attack; some, like the two in Poland, have to be kept in place to protect logistics; the four divisions in Hungary are too far away for this purpose.
- It could use 20 divisions of its own, together with 12 East German, Czech and Polish divisions. The readiness, morale and combat value of these Pact divisions are very questionable. But we will count them for worst-case purposes.
- The manpower of Federal German, US and UK divisions in Federal Germany is equal to that of this Pact force, without

counting French divisions already in Germany and without counting committed Belgian, Netherlands and Danish forces.

The Pact forces cannot achieve air superiority over the NATO area -- an essential for success of any attack -- and the Soviet Union has a sparse second echelon of rapidly available ground force reinforcements.

The Pact tank superiority in Central Europe is less than 4,000 or so at any stage.

In non-quantitative factors -- quality of tanks, training of troops, advantages of defender, advantages of terrain, leadership and command and control and the important area of troop morale, NATO has the advantage in each category. The observations of Pact forces by Western observers and inspectors in the first year of operation of the Stockholm agreement bear out these assessments.

Unless NATO drops the ball -- and here I am talking about American and Federal German decision-making, not the formal deliberations of the NATO Council -- the Pact cannot have any assurance of victory from a short preparation attack.

Pact numerical superiority in major armaments and combat units would be greatest after full mobilization. But as long as it remains conventional, a full mobilization war is a world-wide war, pitting the USSR against the world's three major industrial powers, while a gigantic collision of 150 divisions in the center of Europe contains a very high risk of escalation to strategic nuclear war.

Either outcome would bring a very high risk that the Soviet system would be completely destroyed. There is no possible gain

for Soviet leaders in the conquest of Western Europe which would justify such a risk.

True, NATO conventional forces could always be improved and it has long been known what actions are needed to do so.

But it is more rational to reduce the forces constituting the NATO-Warsaw Pact military confrontation in Europe than to build up the NATO component of the confrontation.

This leads to my third main point: The East-West military confrontation in Europe is obsolescent, if not obsolete. We should not be talking about how to maintain it, but about how to dismantle it. Fifteen years ago, in the 70s, the Cold War in Europe peaked politically when the Federal Republic of Germany concluded treaties with the USSR and Poland accepting that the post-war boundaries of Europe -- including incorporation of large former German territories into Poland and the USSR -- could be changed only by peaceful means.

The United States, France and the UK endorsed this outcome; all NATO states did so again by signing the 1975 Helsinki Accords. But, thirty years ago, the Western precondition for improvement of East-West relations was prior Soviet agreement to the reunification of divided Germany.

Like it or not, there has been a big change in the West in direction of acceptance of the status quo as regards the post-War borders in Eastern Europe. Of course, it is wholly appropriate to push by political means for self-determination in Eastern Europe.

On the other side of the equation, in the 1971 Berlin agreement, the Soviet Union acknowledged the rights of the three

Western powers in the western sectors of Berlin, as did East Germany. Both gave up their twenty-year effort to push the Western allies out of Berlin, which at least twice brought us to the verge of war.

There have been other changes of direct relevance to the East-West confrontation. In the 1950s, the great fear of NATO leaders, one which exceeded their fear of Soviet armed forces, was their concern over the strength of the Western European Communist parties. It was the combination of the two which constituted the Soviet threat. Neither could do it alone. But together, the European Communist parties and the Red Army might have been able to take over Western Europe.

Today, the Western European Communist parties are reduced to weakness, with exception of the Italian Party, which defies Moscow's leadership and declares its support for the continuation of NATO. The help they could have given to Soviet attack through widespread uprisings, sabotage and coups is no longer available. And that help was indispensable to the success of Soviet attack. And today we know a lot more about the weaknesses of the Soviet system itself, including the weaknesses of its system in Eastern Europe.

In the political sense, neither side is any longer an immediate threat to the other in Europe and this fact has become clear. The political Cold War is over in Europe.

This leaves the vast armies of the two alliances -- six million active-duty military personnel for whom, and their equipment, the two alliances spend two-thirds of the world's annual expenditures for armed forces. With the political confrontation in decline, the military confrontation no longer

makes great sense. When Franz Josef Strauss, the most conservative political leader in Federal Germany says, after an end-of-the-year trip to Moscow, that the danger of war with the USSR is negligible, then we can feel certain that the East-West military confrontation is becoming non-functional. We should try to dismantle that confrontation cautiously but deliberately.

The INF is a good first step toward building down the military confrontation. Fortunately, there is renewed opportunity to do this for conventional forces in the new Atlantic-to-the-Urals force reduction negotiations which will begin this year. Although their beginning may be slow, there are prospects for a favorable outcome within the next three to five years.

The main factor in the favorable outcome of the INF negotiations has been the emergence of a reform-minded Soviet leadership.

It is quite possible that the Gorbachev reform effort may slow down after five or six years. It is up to the United States and its NATO allies, while that reform effort is at its peak, to obtain from the Soviet Union further arms control agreements on reducing strategic nuclear forces and on reducing conventional forces, which are as much to Western advantage as the INF Treaty. We should move ahead purposefully while the opportunity is still open.

In amplification of the present statement, I attach an assessment of the INF Treaty that I have prepared for the Union of Concerned Scientists and request that the text of this assessment (starting on page 7 of the attached INF booklet) also be included in the written record.

PREPARED STATEMENT OF WILLIAM SCHNEIDER, JR.

It is a great privilege once again to have an opportunity to testify before this Committee. My previous appearances before this Committee occurred in my capacity as an official of the Department of State supporting the President's foreign assistance program. The subject of my testimony today is of no less importance, although I do so today as a private citizen. Today I am a private consultant as well as Chairman of the U.S. General Advisory Committee on Arms Control and Disarmament. My testimony today reflects my own views, and should not necessarily be attributed to any individual member or to the General Advisory Committee as a corporate entity.

It seems fair to state that the concept of the "double zero" solution to the problem of achieving limitations on intermediate and shorter range missiles is widely accepted within the congress as well as among U.S. allies. Rather the question is the terms under which ratification of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate Range and Shorter Range Missiles will be ratified, and the implications of its ratification for U.S. security and the security of the alliance.

In my remarks, four dimensions of the INF agreement will be discussed. These are:

- Lessons learned from the U.S. INF negotiating posture;
- Ratification issues;
- Post ratification policy issues; and
- Future considerations for arms control.

Lessons Learned

The history of the INF negotiations provides some significant lessons for future arms control negotiations that should be recognized in the ratification process. These lessons allow us to contrast these negotiations to the recent SALT II negotiations which produced an agreement which failed to win either public support or Congressional ratification.

Lesson One

Arms control can never be a substitute for an adequate defense policy. Indeed, the record reveals that when arms control objectives are allowed to subordinate defense objectives one arrives at the least desirable outcome: a disadvantageous arms control agreement and a weakened defense posture. In the (mistaken) view of policy makers in the late 1970s that a strategic arms limitation agreement could be achieved if the U.S. abstained from modernizing its strategic forces (even though the Soviets did not so abstain), we brought our own strategic forces modernization program to a halt. The B-1 bomber was cancelled, the MX and D-5 (Trident) missile production was delayed, the Minuteman III production was terminated, and the strategic cruise missile production and deployment were delayed. At the theater level, the enhanced radiation (neutron) weapon deployment was cancelled at great political cost to the alliance. The cumulative effect was to convince the Soviet leadership that their U.S. counterparts believed that a strategic arms control agreement was more important than the modernization of core elements of the U.S. strategic and theater deterrent. From a bargaining perspective, U.S. negotiators were in a very weak position indeed. The result was predictable. What emerged from these negotiations was a SALT II agreement so inequitable and unfavorable to U.S. security interests, that it was rejected by the American public and never ratified by the U.S. Senate.

Our experience in the 1970s compares unfavorably with the 1980s. U.S. defense interests regained their central role in U.S. national security policy decision-making, and a broadly supported program of rebuilding the

U.S. defense apparatus was undertaken. All three elements of the U.S. strategic nuclear triad were modernized. The Pershing II and the Ground Launched Cruise missiles were placed in production and deployed in Europe. This change in U.S. defense policy permitted our arms control policy to change as well. Rather than seek limitations that codified the growth of Soviet forces, we were able to insist upon either the elimination of an entire class of weapon systems (as in the INF negotiations) or sharp reductions (as in the START) in currently deployed weapon systems.

Why we were able to sustain such a negotiating posture is not difficult to comprehend. Our defense policy obliged the Soviet leadership to face two choices -- the prospect of living without an INF agreement that would eliminate these forces, thereby witnessing the inexorable decline of their monopoly on INF and the diplomatic leverage which accompanied it; or alternatively, accepting U.S. terms (the "double zero") and permitting a circumstance to arise where INF systems would no longer be a factor in regional security. U.S. policy had operated in a manner which made it in the Soviet Union's best interest to accept an outcome favorable to the United States.

Lesson Two

Fashionable opinion in the early 1980s came to regard the U.S. "double zero" proposal as either "non-negotiable" at best, or a ruse to avoid serious negotiations at worst. In fact, the ability of U.S. negotiators to sustain the "double zero" posture has been proven. It is indeed possible to put forward an arms control proposal consistent with U.S. security interest, support it with a complementary defense policy, and achieve the desired result through traditional diplomatic means. This lesson contrasts sharply with our experience in the late 1970s where vacillating negotiating objectives, subordination of defense policy to arms control objectives, and seemly haste to win an "agreement" led to the collapse of U.S. efforts to achieve a SALT II agreement that could win Senate approval.

The practice within the U.S. government during the late 1970s of "negotiating with ourselves" whereby we failed to advance and pursue proposals manifestly in our interest because Soviet propaganda suggested that such proposals would not be accepted should never be repeated. The INF negotiations suggest that staying with a proposal that is in our interest is the only way to win an agreement that meets the test of U.S. security concerns and broad acceptance by the Congress and the American public.

Lesson Three

Negotiations about arms control cannot be separated from the corpus of U.S. foreign policy world-wide. In this respect, the contrast between the withdrawal of American power from Southeast Asia, the Middle East, Southern Africa, and the Western Hemisphere in the late 1970s and the relentless assertion of American interest in these areas in the 1980s has not been lost on the Soviet leadership. In the aggregate, the shift from a passive to an active foreign policy has contributed to our ability to achieve our ends in the arms control arena. The recent pattern of reduced investment in national security-related expenditure -- especially defense and security assistance -- places these gains at risk and bodes ill for our long term ability to negotiate with our adversaries. But the stepped up investment in these crucial ingredients of national power in the first half of the 1980s contributed greatly to our success in the INF negotiations.

Ratification Issues

There are many detailed issues relating to the ratification of the agreement that have been raised by other witnesses. More issues will undoubtedly be raised by witnesses who come later. I will confine my remarks to three broad issues:

- o circumvention of the agreement;

- o compliance; and
- o the effect of the agreement on conventional force modernization.

1. Circumvention of the Agreement

One of the most significant aspects of the INF agreement is its provisions for the elimination of all intermediate range land-based missiles. This feature, however, magnifies the significance of non-compliance or circumvention of the agreement. Although the right of either party to deploy air-launched and sea-based intermediate range missiles is untouched by the agreement, there is an important asymmetry in the nature of the agreement which should be addressed. This is the problem of the SS-25 mobile ICBM.

The SS-25 is not reached by the terms of the agreement, but has important links to the SS-20 system that is to be eliminated under the treaty. The SS-20 and SS-25 missiles share a first stage indistinguishable from each other (although the Soviets have asserted that they are not "interchangeable"). The two systems differ only in range-payload characteristics. The SS-25 can be configured as an effective intermediate range system through the use of thrust termination techniques to give the system variable range characteristics. The older SS-11 ICBM has had a variable range capability for many years. This system, like the SS-25, is uncontrolled by this agreement. Moreover, the continued availability of the SS-20 upper stage, its guidance and control system, and multiple warheads under the terms of the agreement allows the Soviets to mate these components to a variable-range SS-25. This could permit circumvention of the intent of the agreement. The U.S. has no comparable capability.

2. Compliance

The abysmal record of the Soviet Union in complying with prior international agreements has been well documented in four reports by the President to the Congress. What has been lacking has been a firm U.S. response to Soviet non-compliance sufficient to offset the military and diplomatic gains won by the Soviets through their non-compliance. The U.S. record essentially of no response establishes a poor precedent, and places the gains from hard-won arms control agreements at risk.

The relatively narrow scope of the INF agreement provides an important opportunity to begin to correct this problem. Alliance security would be immediately affected even by low levels of Soviet non-compliance. The risk of non-compliance could be offset by a hedge of safeguard against non-compliance in the form of the parallel deployment of anti-tactical ballistic missiles systems. Such a hedge or safeguard has a persuasive historical precedent drawn from the Limited Test Ban Treaty of 1963. Along with the ratification of the treaty, the Congress established a set of safeguards (including the maintenance of a vigorous underground nuclear test program) to offset the risk of the Soviet resumption of atmospheric nuclear tests. As the Soviets had, without warning, violated the 1958 atmospheric test ban moratorium in 1961, Congressional concern about the consequences of non-compliance was justified.

There is then a compelling basis for the establishment of such a safeguard in the INF agreement as well. Quite apart from the longstanding difficulties with Soviet compliance in the past, such a hedge or safeguard could provide a degree of confidence that should some currently unidentified loophole in the agreement emerge in the future, the Soviets could gain no significant military or diplomatic advantage from it.

3. Effect on the Modernization of Conventional Forces

The elimination of INF systems, especially in the European region raises significantly the importance of short-range nuclear missiles and conventional forces. Short range (less than 500 km.) land-based missile systems are indispensable to the ability of the alliance to cope with the fact of Soviet conventional preponderance. Only with modern short-range nuclear forces, can we force Soviet conventional forces to adopt a less-than-optimal dispersed

posture to diminish their vulnerability to alliance nuclear forces. It is this dispersed posture which enables our conventional forces to be effective. However, Soviet conventional force growth in numbers and sophistication was so great during the 1970s and 80s, that nuclear modernization is necessary, but not sufficient to assure that peace in Europe is maintained.

To enable the alliance to offset Soviet conventional preponderance we must be able to introduce modern conventional weapons technology. The agreement has the effect of constraining one of the most promising avenues of conventional force modernization -- long range conventional armed cruise missiles. To avoid complex and perhaps intractable verification problems associated with seeking to distinguish between nuclear and non-nuclear cruise missiles, the agreement bans both. But it permits unarmed remotely piloted vehicles (RPVs) -- a distinction equally difficult to verify. Our experience suggests that the U.S. will adhere the terms of the agreement literally. The Soviets are likely to be able to maintain a long-range conventionally armed cruise missile program under the guise of an unarmed RPV program. As a result, the ability of the alliance to mitigate Soviet conventional military power will be severely curtailed without any offsetting benefit to alliance security.

Post-Ratification Issues

Ratification of the INF agreement will not bring to an end our involvement with alliance-related security issues. We must face several issues directly if this agreement is to be successful in meeting our expectations.

1. Theater nuclear force modernization Existing short range nuclear systems have inappropriate range and payload characteristics to prevent a magnification of Soviet conventional preponderance occasioned by the elimination of U.S. INF systems. Alliance security requires that the nuclear "overwatch" function of short-range systems be extended to provide coverage throughout the depth of the theater up to 500 km. The existing tube artillery fired nuclear projectiles and the Lance short range nuclear-armed ballistic missiles cannot provide coverage for the appropriate set of targets. This will allow Soviet second echelon ground forces to concentrate beyond the range of alliance land-based nuclear systems. Unless the ability to concentrate conventional forces is denied to the Soviets, the threat of existing Soviet conventional forces to Western Europe will be greater after the INF agreement was ratified than prior to its ratification.

2. Active Defense The utility of anti-tactical ballistic missiles (ATBMs) as a hedge or safeguard against Soviet non-compliance has already been discussed. Another aspect of the ATBM issue which merits consideration is the role an ATBM system could play in Europe to diminish alliance concerns, especially in the Federal Republic of Germany about the effect of the INF agreement on the perception of shared nuclear risk within the alliance. The existence of Soviet INF systems placed all nations to the alliance at risk from Soviet attack. With their elimination after ratification of this agreement, the risk from land-based Soviet missile systems falls mainly on those nations within the range of short range missiles, especially the FRG. The existence of an effective ATBM system, or both could serve to mitigate the consequences of the agreement derived from the accidental confluence of geography, diplomacy, and military doctrine.

3. Conventional force modernization In recent years, NATO has committed itself to a number of initiatives to enhance its conventional military forces. Many of these are underway, stimulated by such Congressional initiatives as the Nunn-Warner amendment programs for cooperative arms development. The ratification of the INF agreement makes conventional force modernization more urgent if peace through deterrence in Europe is to be assured. The extensive budget reductions being absorbed by the Department of Defense as an element of broader fiscal policy concerns is inimical both sustaining conventional force modernization and negotiating constraints on conventional forces.

4. Implementation of Non-Compliance Hedges Non-compliance with the INF agreement has profound implications for alliance security as the user of

such a system would possess a monopoly on this class of delivery systems. Non-compliance is an urgent matter that justifies the implementation, in advance, of hedges of safeguards that will deny the Soviets the military and diplomatic benefits of noncompliance. U.S. credibility has suffered in the past from the absence of a significant response to the failure of the Soviet Union to comply with either the ABM Treaty of 1972 or the SALT I and II accords. If arms control is to win and sustain public and Congressional support, Soviet non-compliance must be dealt with through the thorough implementation of suitable measures to offset the effect of their non-compliance.

Future Directions in Arms Control

In most respects, the INF agreement must be regarded as sui generis with few precedents appropriate for other arms control arrangements that will leave the parties with residual quantities of controlled systems. This is likely to be the case with a START agreement, chemical weapons constraints, and conventional arms limitation. A few observations on the relevance of some arms control concepts raised in the INF debate are pertinent.

1. On-site inspection The absence of suspect site provisions in the INF agreement may diminish the effectiveness of our efforts to verify Soviet compliance. A suitable future OSI regime needs to provide for asymmetric suspect site inspection to reflect the closed character of Soviet society and the bleak Soviet performance matters in the past.
2. Defense policy interaction It is unlikely we will be able to achieve an agreement in any domain of arms control that is in our interest unless our defense policy is complementary. Unless our chemical weapons inventory is modernized, and its effectiveness enhanced, we will never be able to persuade the Soviets to abandon their dominant position. Similarly, strategic or conventional weapons agreement will not be had without the U.S. and the Western alliance being in an equal or superior position. It would be a mistake to initiate negotiations on any other basis.
3. Active Defense The potential role of active defense in securing effective nuclear arms control has yet to be formally recognized. Quite apart from the merits or demerits of active defense deployments for their intended purpose, their existence can be a vehicle to bring about an international environment where arms control can contribute to the reduction of the offensive retaliation-dominance of the current mode of deterrence, to one where defense predominates. Moreover, as a guarantor against violations of offensive weapon limitation agreements, active defense may contribute to developing broader support for the further reduction of the levels of deployed offensive nuclear systems.
4. Chemical Weapons Proliferation The proliferation of industrial technology to produce chemical weapons could generally expand the number of nations employing these weapons in local and regional conflicts. We need to examine new techniques for controlling the diffusion of this technology lest chemical weapons proliferation replace nuclear proliferation as a major threat to international peace and stability in the 21st century.

I hope the Committee will find these observations useful in its deliberations on the INF agreement.

PREPARED STATEMENT OF JOHN B. RHINELANDER

I am delighted to appear before this Committee again. My last appearance was on November 12, 1985 in connection with the "reinterpretation" of the ABM Treaty.

I served as legal adviser to the SALT I delegation from 1971-72 during a period of ten years of government service. For the past ten years I have been a partner of Shaw, Pittman, Potts & Trowbridge, a Washington, D.C. law firm, and have been active in various organizations including the Arms Control Association. For several years I offered a seminar on nuclear weapons and arms control at the University of Virginia Law School. The views expressed in this statement are my own.

This statement addresses four separate but related issues:

- I. the INF Treaty, which is before the Senate for advice and consent;
 - II. my basic assumptions for arms control in the year 2000;
 - III. the arms control choices over the next twelve years;
- and
- IV. the management of arms control agreements in force.

I. The INF Treaty

I recommend the Senate give its advice and consent to ratification of the INF Treaty without amendment or reservation.

Almost everyone agrees that a failure to ratify the INF Treaty over the next few months would be a foreign policy blunder which could seriously and adversely effect our NATO and other treaty allies. For this reason alone ratification should be prompt and without conditions.

On the merits, the INF Treaty should be supported.

The elimination of the intermediate-range and shorter-range ground-based missiles covered by the Treaty is clearly in the net interest of NATO. It is also a modest step forward in arms control. The asymmetrical impact on Soviet missiles is an important principle. The extensive exchange of data and intrusive onsite inspection provisions break important new ground.

Some proponents of the INF Treaty have oversold its military implications which are modest, particularly in the absence of

either SALT II constraints or a START Treaty. The basic importance of the Treaty is political, focused on Europe.

Some opponents fear the INF Treaty is the first step toward nuclear disarmament, a condition which is impossible to achieve, or a weakening of NATO. These fears are misplaced and can be overcome by firm leadership here and in Europe.

Some proponents and opponents of the INF Treaty, for very different reasons, are discussing a variety of Category I, II and III conditions to the resolution of advice and consent. I recognize an impossibility when I see one, but my stated preference would be a clean resolution -- without any conditions of any kind.

It happened before, also during a Presidential election year, 1972 to be exact. The subject matter was the ABM Treaty. It should happen again. As a government, the U.S. must improve its practice and begin to ratify the arms control agreements which it signs. Our Constitutional system has never made this easy.

II. Basic Assumptions in the Year 2000

Any assessment of prospects for future arms control agreements usually involve unstated yet implicit assumptions. I would like to make explicit my assumptions looking to the year 2000.

First Assumption. The United States and the Soviet Union will remain the principal adversaries on the world scene, even though their relations may evolve considerably over the next twelve years. The U.S. faces difficult choices as it begins to restructure its defense posture. The Soviet choices are even more difficult because of the built-in inefficiencies of their command economy. In fact, the impact of glasnost, but particularly perestroika on Soviet society and policy may largely determine how much change is possible in the U.S.-Soviet relationship including arms control.

Second Assumption. NATO and the Warsaw Pact will remain in place, notwithstanding stresses, strains and perhaps some significant internal changes within and between each. While nothing is immutable, we should not plan on a radical change in the post-World War II alignment, particularly in Europe.

Third Assumption. A world without nuclear weapons in the year 2000, as sought by General Secretary Gorbachev in a familiar Soviet propaganda posture, is inconceivable. There will be more, not less, than the present eight nuclear weapons-capable states at the end of the next twelve years. Proliferation remains one of the most pressing concerns in this, the year forty-three of the nuclear age.

Fourth Assumption. An effective defense of cities and other so-called "soft" targets from nuclear weapons deliverable by missiles, bombers or other means is not foreseeable. The characteristics of nuclear weapons, which have increased by one million the explosive power that can be concentrated on a weapon of a given size and weight, ensures this. Therefore, the basic U.S.-Soviet relation will continue to be based on deterrence, not necessarily out of preference but of necessity.

Fifth Assumption. There are limits to effective verification of arms control agreements, even assuming the most intrusive, onsite type. The U.S. will continue to rely on national technical means (NTM) as the critical, irreplaceable element. Whether verification from all sources, including cooperative measures and data sharing, is adequate depends on the facts and circumstances of a particular agreement.

Sixth Assumption. Arms control is an aspect of national security policy and not an end in itself. The security of the United States and its allies, and support for our defense posture, will be enhanced by sound force posture decisions and by sound arms control agreements.

III. Arms Control Choices

I have identified twelve arms control areas as prospects over the next twelve years. Before discussing each of them briefly, I would stress that choices will have to be made. All twelve cannot be handled at one time. Each prospect should be analyzed in terms of net assessments, and if pursued integrated into our defense posture.

The next Administration, working with Congress and our allies, must set priorities. This means foregoing early efforts in some areas.

I have divided the twelve areas into two time frames. Each of the first four, but probably not all, could theoretically be completed and signed during the remaining months of the Reagan Administration. Probably none could be ratified this year, because of the shortage of time, but that is not important.

The other eight are for the next Administration to sort out in conjunction with Congress and our allies. Several would be extremely difficult to negotiate with the Soviets.

A. The Early Four

1. START I

The START Treaty presently under negotiation in Geneva is, and should remain, the top priority. Its completion would be a great tribute to the President and his negotiating team. Even the so-called fifty percent reductions, which are really more like thirty percent, would leave U.S. and Soviet strategic offensive forces with two to three times the deployed warheads compared to 1972 when SALT I was completed.

I fail to see the logic or common sense in opposing, preemptively in some cases, a comprehensive treaty which will eliminate one-half of the Soviet SS-18 missiles. Soviet "heavy" missiles have been a principal U.S. concern since SALT I.

My hope is that START I will be signed by President Reagan, even if negotiations take until October. There are several very

difficult issues not yet agreed, including limits on SLCMs and various verification measures, but there has been significant progress.

Advice and consent of START I can await the next Congress. A similar straddle occurred with the Non-Proliferation Treaty of 1968, which was signed during the Johnson Administration and ratified early under Nixon's.

For purposes of signing the START I Treaty, the U.S. and Soviets will probably continue to disagree on the scope of Article V(I) of the ABM Treaty. This is manageable, even though it would be highly desirable if both would agree that the "traditional" interpretation applied. Even that would leave the key issues concerning emerging technology open for negotiation.

2. Chemical Weapons Convention

A multinational Chemical Weapons Convention is closer to completion than many, including myself, would have thought possible a year or two ago. Even with the most intrusive onsite inspection provisions, near-term chemical weapons capability will exist because of the dual nature of some civilian and military products. Verification will remain imperfect.

The central issue is whether a good but far from perfect convention banning possession of chemical weapons is better than the status quo. Some of our allies, particularly the West Germans, think so. Others, such as the French, apparently do not.

The choice is not an easy one, but my judgment is that a chemical weapons ban with reasonable assurance that the large Soviet stocks will be destroyed would be in the net interests of NATO. Such a convention could have particularly important benefits in the third world if a large number of states ratify it over time.

3. Threshold Test Ban Treaty (TTBT)

4. Peaceful Nuclear Explosions Treaty (PNE)

Negotiations are underway on verification protocols to the TTBT of 1974 and the PNE Treaty of 1976.

While each treaty is modest and the new verification provisions unnecessary for the thresholds in the agreements as signed, the protocols will be significant steps forward.

The political issue on ratification will be whether those treaties are an end in themselves, a starting point for phased reductions from the 150 kiloton threshold, or a prelude to a comprehensive test ban treaty (CTBT).

I favor early ratification of the TTBT and PNE treaty when supplemented by a verification protocol, independent of a contemporaneous resolution of these related questions.

B. The Back Eight

I will turn now to the areas which will become the responsibility of the next Administration.

1. ABM Treaty Regime

It is inconceivable that the U.S. or the Soviets would ratify a START I Treaty mandating reductions in strategic offensive weapons without knowing the strategic offensive-defensive relationship. Therefore, a number of ABM Treaty issues will have to be resolved as a matter of priority in the early years of the next Administration, some before completion of the ratification of START I.

a. Agreed quantitative thresholds for emerging technologies under Article V(1) of the Treaty (e.g., laser brightness) will have to be negotiated, and perhaps agreement on tests which may and those which may not be conducted. These supplemental measures would have to be subject to cooperative measures and verification provisions above and beyond the national technical means referred to in the ABM Treaty. These issues flowing from technological change must be addressed even if the "traditional" interpretation of the ABM Treaty is accepted. The U.S. should continue a vigorous but refocused

research program, under agreed ground rules equally binding on the Soviets.

b. An ASAT Treaty should be negotiated, both on the merits and to prevent ASATs from becoming a major loophole to the ABM Treaty. The Soviet facility at Dushanbe is a probable example. Further, the question of banning the testing of fixed land-based exo-atmospheric ABM components would have to be reviewed in the context of an ASAT Treaty.

c. A protocol barring ATBMs should be considered if, as is probable, NATO decides ATBMs are not cost effective in a post-INF world.

d. Compliance issues related to Krasnoyarsk, and four U.S. large phased array radars, will have to be resolved. The construction of the radar at Krasnoyarsk, which apparently now has stopped, was a violation. That radar should be dismantled, even though it is of marginal military significance because of its vulnerability and its limited capability.

e. The notice of withdrawal from the ABM Treaty, currently six months, could be extended to five years to provide greater predictability. If this were agreed, the U.S. would retain the right to suspend its performance or withdraw from the ABM Treaty in the event of a material breach by the Soviets.

2. Conventional Forces in Europe

Deep, asymmetrical reductions of NATO and Warsaw Pact "offensive" conventional forces, such as tanks, should be a priority.

I am not persuaded that there will be agreement, let alone early, in this area. However, it alone offers significant cost savings, even assuming force modernization.

Because reductions of Soviet forces in Europe should not lead to build ups elsewhere, these talks would have implications beyond Europe. Ratification of INF, and also START I, should not be linked to a conventional forces agreement.

3. Non-Proliferation Regime

The NPT, by its terms, expires in 1995 unless extended. Attention should be paid to this issue as a matter of priority over the next few years.

The most pressing non-proliferation concerns are focused on those states which are not parties to the NPT, particularly in the subcontinent. Diplomacy, rather than domestic legislation, is the best hope, but effective diplomacy would require the U.S. and Soviets working together. Our non-proliferation interests are largely parallel. This problem should become a U.S.-Soviet priority after Soviet forces withdraw from Afghanistan.

4. Comprehensive Test Ban Treaty (CTBT)

I once wrote an article urging consideration of a CTBT before a SALT II Treaty. Needless to say, that did not occur.

Notwithstanding the importance I still give to a CTBT, there are other arms control matters of a higher priority. Further, a CTBT has never had the support of the Joint Chiefs of Staff or the Department of Energy.

Phased reductions from the 150 kiloton thresholds of the TTBT and PNE might be a sounder, intermediate goal than a CTBT.

5. START II, START III, etc.

Even as the U.S. and Soviets negotiate START I, the U.S. should begin to articulate a longer term strategy.

Assuming political agreement that total nuclear disarmament, or zero nuclear weapons, is impossible, what should the Western objective be beyond INF and START I? Should it be 75% reductions, or even 95%? Does strategic defense become an attractive option at these levels? What should be the configuration of the residual U.S. and Soviet forces after deep reductions?

At what reduced levels of U.S. and Soviet forces would limits on U.K., French and Chinese nuclear forces, and later those of other nuclear-capable states, become conditions precedent?

At what level might very low U.S. nuclear force structures decrease, rather than increase, stability, and increase the risk of war?

These questions are very theoretical now. Deep reductions may prove to be impractical later on at the bargaining table. But a realistic articulation of nuclear force structure objectives could reassure our allies, who have been jolted by various aspects of U.S. policy during the Reagan and Carter Administrations. It could also be an important element of the defense restructuring which is now starting.

6. Protocol to Biological Weapons Convention

The Biological Weapons Convention is largely unverifiable as ratified. The U.S. entered this arrangement in 1972 knowingly after unilaterally destroying its biological weapons stock, except for research amounts.

While the U.S. yellow rain accusations against the Soviets have been largely discounted, a central verification problem with this convention remains.

If and when a Chemical Weapons Convention is completed and signed, then attention should be given to developing an analogous verification protocol involving intrusive onsite inspection.

7. Tactical Nuclear Weapons

Tactical nuclear weapons -- whether delivered from land, air or sea -- involve an extraordinary complex mix of policy issues and verification problems.

This subject matter should be deferred at least until a START I Treaty has been ratified, and addressed in the context of the framework of a conventional forces agreement. Even then it may not be a promising area. In any event, some tactical nuclear weapons, such as dual capable aircraft, should remain outside any prospective agreement.

8. Weapons Grade Materials

Senator Helms has raised to the forefront an issue that should be addressed. However, it is extremely complex.

Assuming INF is ratified and then START I, which together would significantly reduce the nuclear weapons delivery systems -- by which we commonly include ICBMs, SLBMs, bombers, cruise missiles, etc. -- the U.S. and Soviets should then address the question of the resulting surplus of weapons-grade materials, principally highly enriched uranium, plutonium, and tritium.

A bundle of issues would be involved which can be separated into different facets.

a. Production Cutoff

In the 1950s and 1960s when it was ahead, the U.S. proposed cutoffs of production. The Soviets were not interested. Discussions now of a cutoff might be more feasible, but would have to differentiate enrichment facilities for weapons grade materials from those for reactors for ships and fuel for electrical generation. Special consideration would have to be given whether to include tritium, which has a very short half life, in any cut off.

b. Excess Inventory

In the event of severe reductions in weapons, there could be a large surplus of weapons grade materials, even assuming some material is recycled.

Perhaps the best way to dispose of the excess would be to process the materials for use as reactor fuel. This would, of course, breach the historical separation in the U.S. between the weapons program and peaceful uses.

A key issue is whether there is a better policy choice.

c. Backend Safeguards

With a cutoff and a program to reduce excess inventory, intrusive safeguards would then be required on all nuclear facilities in the U.S. and Soviet Union.

In conclusion, I would urge detailed research efforts as a necessary first step in this area. I do not know whether we know enough yet how we might proceed.

IV. Management of Arms Control Agreements

A focus on new agreements which might be achieved diverts attention from one of the most pressing arms control issues, which is managing agreements in force.

This issue has two components -- compliance and treaty adaptation.

1. Compliance

Soviet compliance conduct is not as bad as the Reagan Administration claims, but clearly not acceptable as a long-term course of conduct.

Krasnoyarsk is the only clear example of a present violation. The encryption and second "new type" issues under the SALT II Treaty are of concern, but not clear cut matters.

U.S. compliance conduct, while considerably better than the Soviets, is not perfect. Four large phased-array radars raise issues under the ABM Treaty. The "reinterpretation" of the ABM Treaty is a particularly disturbing example of unsatisfactory U.S. conduct.

Two lessons we have learned from the past should be noted. One is the necessity of avoiding ambiguous tests to the extent possible. The second is the need for early discussions within the United States Government, and then with the Soviets, before some program decisions are implemented.

If glasnost becomes part of Soviet arms control policy, then there may be reason to hope that some of the more egregious problems of the past will not be repeated. Only time will tell.

2. Treaty Adaptation

Compliance has, wrongly, been analogized to judicial proceedings. There is not, and will not be, a neutral third party to decide issues that impinge on national security.

It is more appropriate to think of compliance in terms of continuing negotiations -- of discussing changing facts in light of necessarily general principles -- and the need for updated agreement.

The best example might be the need to reach agreement with the Soviets on emerging technology and the ABM Treaty. If we fail to do so, it could lead to a modern variant of the pocket battleship, designed around the limits of the inter-war naval limitations. Two recent SDI tests, Alpha 180 and Alpha 181, come to mind as a modern day replica. They are programs designed around treaty constraints, which in the end may undercut the ABM Treaty's basic purpose.

Negotiations of treaties in force must be a continuum. This is impossible if overall relations chill. Therefore progress in arms control, including preserving the status quo, depend on an overall improvement in relations.

V. Overall Assessment

I have excluded risk reduction measures from my analysis because I do not view them as arms control as such. Some may be more important than limitation or reduction agreements. The overriding objective must be to decrease the risk of nuclear war to an irreducible minimum consistent with preserving our fundamental values.

Arms control cannot and should not be separated from our alliance policies and the overall U.S.-Soviet relationship. Of course, as the arms control process develops, it will get more complex. It will necessarily become more multi-national rather than simply bilateral.

Verification, as arms control becomes multilateral, will raise both new problems and new prospects. Society is generally becoming more transparent and the U.S. and U.S.S.R. no longer have a monopoly on technology such as satellites. Non-nuclear weapon states may have important roles to play in verification in years to come.

Progress in arms control will be incremental and involve small steps, some forward and a few backwards. The problems are inherently complex. There are no simple solutions.

We cannot forget history and eliminate what we have learned. We should seek to reverse the build ups of MIRVs and first strike systems. The goal would be to decrease the threat we live under each moment of the day.

Ratifying the INF Treaty would be a very small, yet important, step in trying to maintain control over our fate.

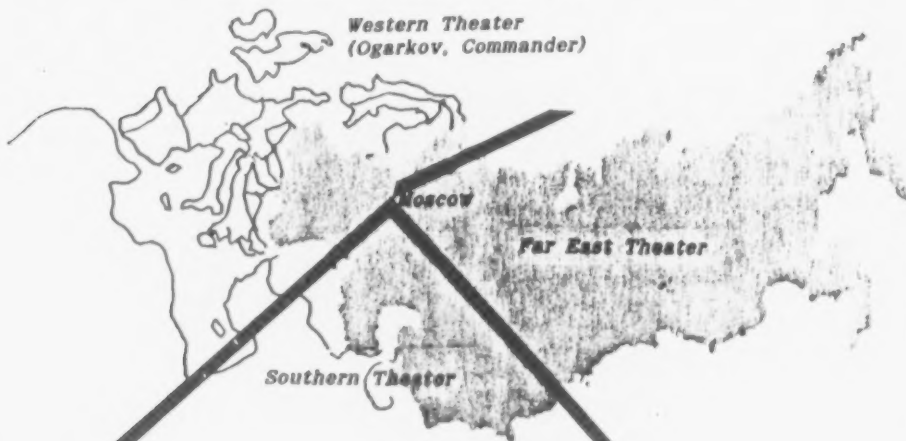
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ORGANIZATION OF SOVIET MILITARY DISTRICTS AND GROUPS OF FORCES BEFORE OGARKOV (1977)

- | | |
|-----------------------------|--------------------|
| 1. Group of Forces, Germany | |
| 2. Central Group of Forces | |
| 3. Northern Group of Forces | |
| 4. Southern Group of Forces | |
| 5. Baltic | |
| 6. Leningrad | |
| 7. Ural | 14. Odessa |
| 8. Siberian | 15. Kiev |
| 9. Transbaykal | 16. Volga |
| 10. Far East | 17. North Caucasus |
| 11. Caparthisian | 18. Transcaucasia |
| 12. Belorussian | 19. Central Asia |
| 13. Moscow | 20. Turkestan |



REORGANIZATION OF MILITARY DISTRICTS INTO THEATERS OF OPERATION BY OGARKOV (1983)



RESPONSES TO GENERAL QUESTIONS ASKED BY SENATOR CRANSTON

Question #1: On the matter of compliance, I would like to ask you what you feel should be our policy if there are violations of the INF Treaty? How should we respond?

Answer: I believe that suspicions of treaty violations should be handled as they were in the past under the Nixon, Ford, and Carter Administrations -- that is, they should be initially raised with the Soviets through confidential channels. Under the SALT I Agreements (the Anti-Ballistic Missile Treaty and the Interim Agreement), the means was the Standing Consultative Commission; under the INF Treaty, it would appear that the newly-formed Special Verification Commission would be the appropriate vehicle. If an issue is not resolved satisfactorily, several options remain. These include further discussion through diplomatic channels or at the highest (Presidential) level, appropriate action by the United States (e.g. proportional response), or, if necessary, withdrawal from the Treaty.

All of these options are independent of each other, and it is impossible to suggest in advance how a problem should be dealt with without knowing all the facts and relevant circumstances.

Question #2: Do you feel it would be advisable or inadvisable to spell out in any reservation attached to the Treaty in a non-kill mode?

Answer: I believe that it would be inadvisable to attempt to spell out future administration responses to future, necessarily hypothetical Soviet violations. As my previous answer implies, "It all depends." To attempt to draw up a list of possible Soviet violations and then attach to each one the response or responses which should be taken would be not only Herculean but also ineffective inasmuch it is simply not possible to hypothesize with accuracy all the details and circumstances of such violations. As set forth above, each situation should be dealt with on its own merits.

PREPARED STATEMENT OF DR. WILLIAM SCOTT

IN AUGUST 1962 I ARRIVED IN MOSCOW TO BE THE SENIOR U.S. AIR ATTACHE. WITHIN TWO MONTHS I HAD A WORKS EYE OF THE CUBAN MISSILE CRISIS. I RETURNED TO THE STATES IN AUGUST, 1964, ONLY SIX WEEKS BEFORE KHRUSHCHEV WAS OUSTED.

IN AUGUST 1970 I AGAIN RETURNED TO MOSCOW AS AIR AND DEFENSE ATTACHE. THERE I HAD A RINGSIDE SEAT FOR THE SIGNING OF SALT ONE. THIS ANNOUNCED TO THE WORLD THAT THE SOVIET UNION HAD REACHED MILITARY SUPERPOWER STATUS. I RETURNED TO THE STATES IN SEPTEMBER, 1972 AND RETIRED LATER THAT YEAR. SINCE THEN I HAVE WORKED AS A WRITER AND CONSULTANT.

SINCE 1972 MY WIFE AND I HAVE MADE NINE RETURN TRIPS TO THE SOVIET UNION; OUR MOST RECENT WAS LAST OCTOBER AND NOVEMBER. WE WANTED TO SEE IF THE GREAT CHANGES, SO WIDELY PUBLICIZED IN OUR PRESS, ACTUALLY WERE TAKING PLACE.

WE WORK PRIMARILY ON SOVIET MILITARY DOCTRINE. THIS IS A CONCEPT THAT DOES NOT HAVE ANY EQUIVALENT MEANING IN THE UNITED STATES OR ANY OTHER NATO NATION. AS DEFINED, MILITARY DOCTRINE IS THE MILITARY POLICY OF THE COMMUNIST PARTY. ITS PURPOSE IT IS TO PREPARE THE NATION FOR THE POSSIBILITY OF FUTURE WAR. MILITARY DOCTRINE ANSWERS THE QUESTION OF WHO WILL BE THE ENEMY, WHAT WILL BE THE NATURE OF FUTURE WAR, WHAT TASKS WILL BE REQUIRED OF THE ARMED FORCES, HOW THE NATION MUST BE PREPARED AND FINALLY, IF WAR DOES OCCUR, BY WHAT METHODS IT WILL BE FOUGHT.

THE PROVISIONS OF DOCTRINE HAVE THE FORCE OF LAW. DOCTRINE HAS TWO SIDES, THE POLITICAL AND THE MILITARY-TECHNICAL. THE POLITICAL SIDE HAS CHANGED BUT LITTLE SINCE LENIN. THE MILITARY-TECHNICAL SIDE IS RESPONSIVE TO ADVANCES IN SCIENCE AND TECHNOLOGY.

A NEW MILITARY DOCTRINE WAS FORMULATED IN THE LATE 1950S, AND ANNOUNCED BY KHRUSHCHEV IN JANUARY 1960. THIS DOCTRINE DECREED THAT THE NUCLEAR-ARMED BALLISTIC MISSILE WOULD BE THE DECISIVE FACTOR IN EVENT OF A FUTURE WAR. AFTER THE CUBAN MISSILE CRISIS MANY IN THE WEST THOUGHT THIS DOCTRINE WOULD CHANGE. THIS DID NOT HAPPEN. NOR WAS THERE ANY CHANGE AFTER KHRUSHCHEV'S OUSTER. THE SOVIET DRIVE FOR NUCLEAR SUPERIORITY CONTINUED.

THE DOCTRINE WAS MODIFIED IN THE LATE 1980S TO INCLUDE THE POSSIBILITY OF A CONVENTIONAL PHASE IN A MILITARY CONFLICT. THE NUCLEAR UMBRELLA GAVE THE SOVIET LEADERSHIP OPTIONS FOR THE USE OF MILITARY POWER.

CONTRARY TO HOPES IN THE UNITED STATES, THERE WAS NO CHANGE IN MILITARY DOCTRINE AFTER THE SIGNING OF SALT ONE. THE NUCLEAR BUILDUP CONTINUED. AS SECRETARY HAROLD BROWN IS REPORTED TO HAVE SAID, WHEN WE BUILD, THE SOVIETS BUILD, WHEN WE REDUCE, THEY CONTINUE TO BUILD.

MILITARY DOCTRINE WAS AGAIN MODIFIED TO STRESS THE PROJECTION OF MILITARY POWER AND PRESENCE. AGAIN, THIS WAS MADE POSSIBLE BY THE BY THE NUCLEAR UMBRELLA.

THERE NOW ARE GREAT HOPES IN THE WEST THAT FUNDAMENTAL CHANGES ARE TAKING PLACE IN SOVIET MILITARY POLICIES.

THE "NEW POLITICAL THINKING" IN MOSCOW IS SAID TO HAVE BROUGHT ABOUT THE FOLLOWING:

- SOVIET MILITARY DOCTRINE HAS A PURELY "DEFENSIVE CHARACTER."
- THE KREMLIN'S MILITARY FORCES ARE TO BE MAINTAINED AT A LEVEL

OF "REASONABLE SUFFICIENCY."

- SOCIETY, INDUSTRY, AND ARMED FORCES ARE BEING "RESTRUCTURED."

IS THIS "GLASNOST" OR IS IT ONLY "POKAZUKA" -- FOR SHOW?

FROM A CLOSE ANALYSIS OF SOVIET WRITINGS I DO NOT SEE ANYTHING REALLY NEW IN THE "NEW POLITICAL THINKING."

FIRST, THE MILITARY DOCTRINE. THE SOVIETS NOW SAY THAT ONLY THE POLITICAL SIDE IS DEFENSIVE - NOT THE MILITARY-TECHNICAL SIDE. THIS DOES NOW REPRESENT ANY BASIC CHANGE. THE ATTACK ON TINY FINLAND IN 1939 WAS A DEFENSIVE WAR. MARSHAL OGARKOV HAS STATED THAT THE SOVIET UNION FIGHTS ONLY JUST WARS - IT IS IMPOSSIBLE FOR THE SOVIET UNION TO ACT IN AN AGGRESSIVE MANNER.

NEITHER IS THERE ANYTHING NEW ABOUT THE CONCEPT OF "REASONABLE SUFFICIENCY." IN MARCH 1966 BREZHNEV HAD STATED THAT THE SOVIET MILITARY WERE TO BE FULLY SUFFICIENT FOR DEFENSE OF THE NATION. DURING HIS SHORT PERIOD AS GENERAL SECRETARY ANDROPOV STATED THAT THE FORCES WERE TO BE MAINTAINED AT THE "NECESSARY LEVEL." WHEN WE EXAMINE THE CONTEXT IN WHICH THESE STATEMENTS WERE MADE, THEY HAD ESSENTIALLY THE SAME MEANING AS GORBACHEV'S REASONABLE SUFFICIENCY.

MAJOR ATTENTION IS GIVEN TO PERSTROIKA OR RESTRUCTURING. IT GENERALLY IS ASSUMED THIS IS TO IMPROVE THE LIVING STANDARD OF THE PEOPLE. ON THE OTHER HAND, RESTRUCTURING IS NECESSARY FOR MILITARY REASONS. MARXISM-LENINISM, WHICH ALL SOVIET OFFICERS MUST STUDY, TEACHES THAT THE COURSE AND OUTCOME OF WAR - THAT IS, VICTORY OR DEFEAT -- ARE BASED ON THE ECONOMIC, SCIENTIFIC-TECHNICAL, MORAL-POLITICAL AND MILITARY POTENTIALS OF THE WARRING SIDES. THESE ARE CALLED LAWS OF WAR. IN LARGE MEASURE, THEY ARE THE BASIS OF MILITARY DOCTRINE. THE SOVIET DEFENSE ESTABLISHMENT - AND THIS INCLUDES THE PARTY LEADERSHIP AND THE KGB -- RECOGNIZE THAT THE LAWS OF WAR MUST BE KEPT IN THE KREMLIN'S FAVOR.

THE SOVIET ARMED FORCES TODAY ARE SUFFICIENT TO KEEP THE KREMLIN'S POSITION AS A MILITARY SUPERPOWER FOR THE NEXT FIVE TO TWELVE YEARS. BUT IF THE ECONOMY CONTINUES TO SLIDE, IF SCIENCE AND TECHNOLOGY FALL BEHIND THAT OF THE WEST, IF DRUNKNESS AND OTHER WEAKNESS IN THE SOCIAL STRUCTURE CONTINUE, THEN THE SUPERPOWER STATUS WILL BE THREATENED.

IT IS LIKELY THAT THE MILITARY-TECHNICAL SIDE OF DOCTRINE IS BEING MODIFIED AT PRESENT. DIRECTED ENERGY WEAPONS MAY REPLACE

NUCLEAR WEAPONS. MARXISM-LENINISM TEACHES THERE IS A CONSTANT BATTLE BETWEEN OFFENSIVE AND DEFENSIVE WEAPONS. THE SOVIETS MAY BE AHEAD OF US IN A BALLISTIC MISSILE DEFENSE.

THE SOVIET LEADERSHIP NED A REPEAT OF THE DETENTE OF THE MID-1960S AND 1970S. THEIR MILITARY DOCTRINE HAS NOT CHANGED, ONLY TACTICS. THEY WANT TO CREATE A CLIMATE OF OPINION IN THE WEST THAT WILL PERMIT THE TRANSFER OF TECHNOLOGY TO THE SOVIET UNION AS WELL AS CREDITS. AND WHILE DOING THIS, THEY HOPE TO TURN OUR ATTENTION AWAY FROM THE NEED FOR A SOUND DEFENSE.

IMMEDIATELY BEFORE THE DECEMBER SUMMIT MEETING, THE INTERNATIONAL DEPARTMENT OF THE CENTRAL COMMITTEE SAW TO IT THAT GORBACHEV'S BOOK, PERESTROIKA: NEW THINKING FOR OUR COUNTRY AND THE WORLD, WAS AVAILABLE IN WASHINGTON BOOKSTORES. IT SUPPOSEDLY GAVE THE COMMUNIST PARTY'S STRATEGIC PLAN FOR FOREIGN AND DOMESTIC POLICY IN THE IMMEDIATE FIVE-YEAR PERIOD.

During his eighteen-year tenure as General Secretary, Leonid Brezhnev had similar plans, which he called his "Peace Program". Gorbachev calls his a "System of International Security." Carefully packaged for both domestic and foreign consumption, much of it bears on Soviet military doctrine. In this is repeated the "reasonable sufficiency" thesis.

But are THESE DECLARATIONS IN the "all-embracing System of International Security" really "new thinking"? Do they mean major changes in Soviet military doctrine, or perhaps a completely new doctrine? We must not forget that similar words have been used in the past. The "Stalin Constitution" of 1936 was an effort to make the Soviet system appear more democratic in order to win support from Britain and France. This is not to suggest that Gorbachev is another Stalin. While we must not ignore the possibility of actual change in the Kremlin's goals, we must be realistic about the chances.

MISSION ACCOMPLISHED
(John B. Rhinelander and James P. Rubin)

As spokesmen for the Reagan administration have advanced their new interpretation of the 1972 Antiballistic Missile (ABM) Treaty, they have rested their case primarily on their review of the treaty's negotiating record. Having examined recently declassified portions of the negotiating record, John B. Rhinelander here provides his account of what took place during the negotiations from his point of view as legal adviser to the SALT I delegation. James P. Rubin contributed substantial assistance to Rhinelander's study. The authors would like to thank Raymond L. Garthoff, whose new study on the ABM Treaty reinterpretation was extremely helpful in the preparation of this article.

On a Sunday morning television show in October 1985, former National Security Adviser Robert C. McFarlane revealed the Reagan administration's new interpretation of the ABM Treaty that in effect would remove all limits on the development and testing of Star Wars. Under the new interpretation, the United States and the Soviet Union can develop and test space-based and other mobile ABM systems and components, so long as they are based on "other physical principles" than those used in 1972. The United States is thereby free to pursue the futuristic technologies of the Strategic Defense Initiative (SDI) up to the point of deployment.

This view repudiated the "traditional" interpretation of the ABM Treaty, universally accepted for the intervening 13 years, that development, testing, and deployment of such systems and components was prohibited, whatever the nature of the technology.

If the President decides to implement the new "broad" interpretation as national

policy, Star Wars could proceed to full-scale development and testing free of treaty constraints. The ABM Treaty's object and purpose—preventing the United States and the Soviet Union from building nationwide defenses against strategic ballistic missiles—would be defeated.

McFarlane's announcement led to a storm of protest from NATO allies, members of Congress, and the Soviet Union. All but one member of the U.S. delegation that negotiated the ABM Treaty rejected the new interpretation as totally without merit. Nevertheless, Secretary of State George Shultz soon announced that the President considered this new interpretation "fully justified." During the congressional hearings that followed the unilateral reinterpretation, Abraham Sofaer, the Legal Adviser at the Department of State, and Paul Nitze, Special Adviser to the President and Secretary of State and himself a key member of the ABM Treaty delegation, carried the brunt of the administration's case. Sofaer testified that the new interpretation was "fully justified" because the treaty text was "ambiguous" and because the classified negotiating record demonstrated a Soviet refusal to accept the traditional interpretation. According to Sofaer, the Soviet Union only agreed to prohibit the deployment, not the development and testing, of future ABM systems and components.

Many of Sofaer's initial public statements before congressional committees in November 1985 have been soundly discredited. Sofaer himself has repudiated the

memorandum he provided Congress on the ABM Treaty ratification proceedings, ostensibly the work product of "young lawyers" on his own staff. Indeed, the congressional debate over the last two years, led by Senator Sam Nunn (D-GA) but including many other senators and congressmen of both parties, has demonstrated conclusively that when the Senate, by a vote of 88-2, gave its advice and consent to ratification in 1972, it did so on the basis of the traditional interpretation.

Moreover, the new interpretation was declared to be "fully justified" before Sofaer completed his initial review of the subsequent practice of the parties, the first step mandated by international law in the event a treaty text is ambiguous. The Vienna Convention on the Law of Treaties, recognized as governing international law, provides that "any subsequent practice in the application of the treaty which establishes the agreement of the parties regarding its interpretation" should be taken into account. All available evidence clearly shows that the subsequent practice of the Soviet Union and the United States since 1972 has also been based on the traditional interpretation (See Garthoff article, p. 15).

Nevertheless, the administration continues to rest the heart of its case on the details of the ABM Treaty negotiations, which were classified until very recently. Under pressure from Congress, the administration made public large portions of the negotiating record in May 1987. In his detailed analysis of that record, which he had been reviewing privately for many months, Senator Nunn concluded that the Soviet Union had fully accepted the traditional interpretation.

The SALT I negotiators had, and still have, unique expertise in understanding the history of the negotiations with the Soviet Union. Although there has been no question in my mind—as well as all but one of the other negotiators—that Senator Nunn's conclusion was the only possible

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James P. Rubin is the assistant director for research at the Arms Control Association.

one, such a position could not be fully documented until these records were made public. Now that much of the basic documentation is available, I would like to set the record straight from my perspective as Legal Adviser to the U.S. Delegation. It is not intended to be the final word, but it does reinforce what all the negotiators, except Paul Nitze, have been saying: namely, that the "traditional" interpretation is irrefutably the one negotiated and agreed upon by both parties to the treaty during the negotiations.

Our Instructions

In August 1971, President Nixon instructed the U.S. delegation to obtain Soviet agreement to a series of limits on future ABM systems. The purpose of obtaining these limits was explicitly stated in the instructions:

Our objective is to reach agreement on the broad principle that the agreement should not be interpreted in such a way that either side could circumvent its provisions through future ABM systems or components.

In other words, President Nixon ordered the delegation to prevent precisely



John B. Rhinelander

the reinterpretation that has taken place under President Reagan. The negotiating record demonstrates that the U.S. delegation fully implemented the President's instructions, obtaining Soviet agreement to a treaty text that embodies the traditional interpretation. The sad irony is that in 1971-1972 we were worried that the Soviet Union—not the United States—might interpret the agreement in such a way as to circumvent the treaty's objectives and provisions through future ABM systems.

The reinterpretation is profoundly at odds with the basic goals of the United States when it negotiated, signed, and

ratified the ABM Treaty in the early 1970s. The Nixon administration sought to establish a permanent prohibition on nationwide ABM defenses. Achievement of this goal required a ban not only on the deployment of nationwide defenses but also on a "base" for such defenses in order to ensure that neither party could "break out" of the treaty by preparing the foundation for a nationwide defense which could be quickly deployed. At the same time, however, certain carefully limited ABM deployments at fixed sites were to be allowed.

To reconcile these somewhat contradictory goals required a distinction between ABM systems theoretically capable of defending an entire nation and those which could be limited to the defense of fixed sites. Space-based and other mobile ABM systems, by their very nature, cannot be confined to a single site, and are therefore nationwide defenses by definition. Fixed land-based ABM systems, on the other hand, can be limited so that they can only defend a specific area from incoming missiles. Consistent with this approach, the ABM Treaty confined space and mobile-type ABM systems to the "research" stage by prohibiting their development, testing and deployment, while the activities of fixed land-based ABM systems were governed by separate, detailed rules.



President Nixon and Ambassador Smith. Nixon's instructions to the U.S. delegation were to obtain Soviet agreement to a series of limits on future ABM systems.

The Text of the ABM Treaty as Signed and Ratified

Common sense and the Vienna Convention on the Law of Treaties direct that the interpretation of a treaty should begin with its text. The basic rule is that the text "shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose."

The object and purpose of the ABM Treaty is set out in Article I: "Each Party undertakes not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense," except for certain limited deployments of fixed land-based ABM systems stipulated in Article III.

Article II provides the critical definition of an ABM system as "a system to counter strategic ballistic missiles or their elements in flight trajectory," a definition which is functional. Any weapon system functionally able to intercept strategic ballistic missiles is considered an ABM system, regardless of the technology employed.

Article III provides the specific quan-

The Meaning of the ABM Treaty

The following description of how the ABM Treaty deals with future systems will help the reader appreciate the reasoning of the delegation as it built the interlocking components of the treaty.

Article I(2) sets out the object and purpose of the treaty. It reads: "Each Party undertakes not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense, and not to deploy ABM systems for defense of an individual region except as provided for in Article III of this Treaty." The remainder of the treaty consists of a series of Articles which express more specific obligations of the parties in fulfilling this object and purpose.

Article II(1) provides the critical definition: "For the purposes of this Treaty an ABM system is a system to counter strategic ballistic missiles or their elements in flight trajectory, currently consisting of: a) ABM interceptor missiles . . . b) ABM launchers . . . c) ABM radars."

This definition is functional. An ABM system is defined as *any* weapon system functionally able to "counter strategic ballistic missiles or their elements in flight trajectory." The fact that an ABM system could include components based on new technologies is implicitly referred to by the phrase "currently consisting of." By stating that ABM systems "currently" consist of missiles, launchers, and radars, the language purposefully indicates that ABM systems could consist of other components. Otherwise, the word "currently" would not be necessary. Moreover, the fact that a comma was included in the text made clear that the subsequent phrase was non-restrictive in nature.

Article III provides the specific quantitative, qualitative, and geographic limits on the permitted ABM deployments of fixed land-based ABM systems consisting of interceptor missiles, launchers, and radars. The opening clause reads: "Each Party undertakes not to deploy ABM systems or their components except" those specified in the rest of this Article which are explicitly limited to "current" technology. By virtue of this lead-in language, the Article makes clear that all deployments are prohibited except those that are expressly permitted and specifically that deployment of future ABM systems and components is not allowed. The provision goes on to provide that "a Party may deploy . . . no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites [and certain] ABM radars . . ." at two geographically designated areas, a right which was rendered to one deployment area in the 1974 ABM Protocol. By limiting the firepower of the permitted systems, and by virtue of the specific qualitative and geographic limits, Article III was expressly designed to ensure that Article I was not circumvented by deployment of any "future" systems.

Article V provides a critical barrier against the deployment of nationwide defenses or a base for such a deployment. The first paragraph of Article V reads: "Each Party undertakes not to develop, test, or deploy ABM systems or com-

ponents which are sea-based, air-based, space-based, or mobile land-based." Space-based and other mobile ABM systems are inherently capable of a nationwide defense. They were confined to the research stage. Because of the functional definition of an ABM system in Article II, this broad ban on space-based and other mobile systems applies to any ABM system, regardless of whether its components include interceptor missiles or high-powered lasers capable of substituting for such missiles.

Article IV authorizes the development and testing of fixed land-based systems at ABM test ranges. In addition to sanctioning development and testing, this Article prohibits unauthorized "deployment" around the country in the guise of test programs. By prohibiting the testing of any space-based components, Article V(1) buttresses this aspect of Article IV. However, Article IV and the rest of the Treaty permit the development and testing of *fixed land-based future systems* at ABM test ranges.

Article VI is intended to ensure that the treaty cannot be circumvented by using weapon systems designed for other purposes as ABMs. In so doing, it limits non-ABM activities by applying the same functional definition of an ABM system used in Article II of the treaty: "each Party undertakes: (a) not to give missiles, launchers, or radars, other than ABM interceptor missiles, ABM launchers, or ABM radars, capabilities to counter strategic ballistic missiles or their elements in flight trajectory, and not to test them in an ABM mode . . ."

Article XV provides that "This Treaty shall be of unlimited duration." This article makes clear that the treaty was intended as a permanent obligation. It would have been a near contradiction in terms to provide permanent obligations limited to the technology of the day.

The treaty also contains a series of clarifying and interpretive "Agreed Statements," one of which, Agreed Statement D, relates to future ABM systems. Agreed Statement D supplements Article III, which dealt exclusively with fixed land-based systems. This was made clear in its opening clause: "In order to insure fulfillment of the obligation not to deploy ABM systems and their components except as provided in Article III of the Treaty . . ." Agreed Statement D goes on to provide that if future fixed land-based systems are created, their deployment "would be subject to discussion in accordance with Article XIII (procedures of the SCC) and agreement in accordance with Article XIV of the Treaty (amendment procedure)." Thus, while Agreed Statement D provides a mechanism to consider deployment of future fixed land-based ABM systems, it makes clear that deployment would require agreement and amendment of the treaty. This amendment would then have to be submitted to the Senate for its advice and consent, underscoring the fact that further deployment of systems involving exotic technologies was a fundamental issue that could undermine the basic objective and operation of the treaty.

—JBR

titative, qualitative, and geographic limits on the permitted ABM deployments of fixed land-based ABM systems using 1972-era technology (ABM missiles, launchers and radars). It also prohibits all deployment of ABM components except those which are specified in the Article. Agreed Statement D, which Sofaer wrongly asserts is the only provision that treats future ABM systems, is intended to supplement Article III. It mandates that future fixed land-based systems can be developed but cannot be deployed unless the treaty is amended.

Article V then provides a critical prohibition to implement the treaty's basic objective of preventing the deployment of nationwide defenses or a base for such a deployment. It reads: "Each Party undertakes not to develop, test or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based." Space-based and other mobile ABM systems are inherently suitable for nationwide defenses. Because of the functional definition of an ABM system in Article II, this broad ban on space-based and other mobile systems applies to any ABM system, regardless of whether its components include interceptor missiles or high-powered lasers capable of substituting for such missiles.

Articles I, II, III and V together form a complex of interrelated articles establishing the traditional interpretation. The text clearly distinguishes between deployment limits on fixed land-based systems (Article III and Agreed Statement D) and broad prohibitions on space-based and mobile-type systems (Article V), and these limits apply to all ABM systems and components whether based on 1972-era technology or on "other physical principles."

The ABM Treaty Negotiating Record

The record of the negotiations from August 1971 to May 1972 demonstrates that when the U.S. delegation obtained Soviet agreement to the text of the treaty, the Soviet delegation fully understood the meaning of the treaty as being the traditional interpretation.

In the following discussion of the negotiations relating to future systems, I have isolated the key points relating to future ABMs from the much broader negotiations on the full treaty that were going on at the same time. The future issue was sufficiently unique that it can be separated in this fashion. For those not familiar with the negotiating process, this is an instructive example of its complexity and subtlety. The journey between presidential instruction to a delegation and agreement on a specific text often involves many interrelated provisions.

During the first four negotiating sessions (November 1969 to May 1971) the two delegations disagreed on the specific limits for fixed land-based ABMs but agreed that mobile-type ABMs should be confined to research. During the fourth session in Vienna (March 1971), the Soviets first tabled an ABM Treaty. A month later, I was asked to join the U.S. delegation and to begin drafting a U.S. ABM Treaty. This work proceeded into May, when the session adjourned and the U.S. delegation returned to Washington.

In June 1971, while preparing U.S. draft treaty language, I flagged for the delegation the controversial question of whether the treaty should apply to future ABM systems. By the time the fifth

negotiating session in Helsinki began, a clear decision had not been reached by the U.S. government on this issue. The policy issue in Washington for some time had been how much latitude, if any, should be given to the pursuit of future ABM systems, such as lasers, which could be deployed at fixed sites. In addition, there were differences

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The disagreement was resolved in August 1971. In a series of personal messages to the President, Gerard C. Smith, the Chief U.S. Delegate, argued that the treaty's prohibitions should apply to both present and future ABM systems. On August 7, he wrote the President and asked rhetorically "Do we seek . . . just a temporary truce in ABMs—until such time as more effective futuristic ABMs are developed and deployed." Following inter-agency deliberations in Washington, the President issued NSDM 127, which was cabled to Helsinki on August 12, 1971. With respect to future ABMs, these instructions read:

The agreement should contain a provision whereby neither side shall deploy ABM systems using devices other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the function of these components. (This provision along with that in the next paragraph, should not prohibit the development and testing of future ABM components in a fixed, land-based mode.)

The agreement should contain a provision whereby neither party shall develop, produce, test, or deploy: a) sea-based, air-based, space-based, or mobile land-based ABM launchers, ABM missiles, or ABM radars; b) ABM components other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the functions of these components.

In presenting this position, the Delegation should not invite a detailed negotiation or discussion of future ABM systems. Our objective is to reach agreement on the broad principle that the agreement should not be interpreted in such a way that either side could circumvent its provisions through future ABM systems or components. We intend to handle any problems that may arise through

SALT I Negotiating Sessions

Session 1	November-December 1969	Helsinki, Finland
Session 2	April-August 1970	Vienna, Austria
Session 3	November-December 1970	Helsinki, Finland
Session 4	March-May 1971	Vienna, Austria
Session 5	July-September 1971	Helsinki, Finland
Session 6	November-January 1972	Vienna, Austria
Session 7	March-May 1972	Helsinki, Finland

the joint commission and the formal review procedures.

The consequences of these instructions were straightforward: 1) the delegation was to seek a prohibition on the deployment, but not development and testing, of fixed land-based ABMs using new technologies; 2) the agreement should prohibit everything but "research" on space and other mobile-type ABM systems and components employing new technologies; and 3) a discussion of specific technologies should be avoided.

The ensuing story demonstrates how the U.S. delegation carried out the President's instructions to the letter. The critical moments in the negotiations cover three relatively distinct subject matters and three phases:

(A) Mobile ABMs (Article V (1)), principally in August-September, 1971;

(B) The Definition of an ABM System (Article II), principally in December 1971; and

(C) Fixed Land-based ABMs (Articles I, III and Agreed Statement D), beginning in December 1971 and culminating in the final negotiating session (March-May 1972).

A. Negotiations on Article V: Mobile ABMs

On August 17, 1971, in accordance with its instructions and after clearing the precise text with Washington, the U.S. delegation presented a draft article to obtain the required prohibitions on both fixed land-based and mobile future systems. The two relevant parts of the draft article read:

1) Each Party undertakes not to deploy ABM systems using devices other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the functions of these components. [Later known as Article V (3).]

2) Each Party undertakes not to develop or produce for or test or deploy in sea-based, air-based, space-based, or mobile land-based modes ABM interceptor missiles, ABM launchers, ABM radars, or other devices to perform the functions of these components. [Later known as Article V (1).]

In presenting this language, Ambassador Smith told the Soviet delegation, "The Agreement would apply to all types of ABM systems, including possible future types of ABM systems and not only to ABM

Key Negotiators of the ABM Treaty

U.S. Negotiators

Gerard C. Smith	Head of the U.S. Delegation, 1969-1972.
Sidney Graybeal	Representative from ACDA, where he served as Deputy Assistant Director, Science and Technology Bureau, 1969-1973; Lead negotiator for Article V.
Raymond L. Garthoff	Executive Secretary to U.S. Delegation; Lead negotiator on Article II and Agreed Statement D.
J. Graham Parsons	Ambassador and Deputy Chairman of the U.S. Delegation, 1970-1972.
Maj. Gen. Royal Allison	Representative of the Joint Chiefs of Staff.
Paul Nitze	Representative of the Secretary of Defense, 1969-1972.
Harold Brown	Delegate-at-Large, 1969-1972.
John Rhinelander	Legal Adviser

Soviet Negotiators

Vladimir Semenov	Head of Soviet Delegation, 1969-1972.
Viktor Karpov	Ministry of Foreign Affairs (MFA) Representative; Lead negotiator for Article V.
Oleg Grinevsky	MFA Representative; Lead negotiator on Article II, Agreed Statement D, and Article III, 1969-1972.
N.S. Kishilov	MFA Representative; Negotiator on Article II, Agreed Statement D and Article III.
A.N. Shchukin	Scientific Adviser to Soviet Delegation, 1969-1972.
Lt. Gen. K.A. Trusov	A senior Ministry of Defense Representative, 1971-1972.

systems employing ABM interceptor missiles, ABM launchers, and ABM radars. We believe that the Agreement should reflect this explicitly."

The initial reaction of the Soviet delegation was cautious. They posed a number of specific questions as to the desirability and feasibility of limiting future systems. The thrust of the Soviet position was to ask the U.S. delegation for examples of the future systems it had in mind. For example, on August 24, Academician Shchukin, a principal Soviet delegate, asked in connection with paragraph 1 (fixed land-based ABMs) of the U.S. draft article, "What did the United States have in mind in speaking of such

ABM systems and such devices?" On August 31, General Trusov, the Soviet representative from the Ministry of Defense, also asked with respect to paragraph 1 "what did the [U.S.] have in mind when [it] spoke of an ABM system which does not include launchers, interceptor missiles and radars?"

Since NSDM 127 instructed the delegation not to engage in a "detailed discussion" of future systems, the delegation refused to give specific examples but merely explained why the agreement should limit future systems. With respect to paragraph 2 (mobile ABMs) of the U.S. draft article, the Soviet reaction was limited to questions about the meaning of the term

ABM Treaty: Article V

1. Each Party undertakes not to develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based.
2. Each Party undertakes not to develop, test, or deploy ABM launchers for launching more than one ABM interceptor missile at a time from each launcher, not to modify deployed launchers to provide them with such a capability, not to develop, test, or deploy automatic or semi-automatic or other similar systems for rapid reload of ABM launchers.

"development." On August 24, Shchukin asked with regard to paragraph 2, "Would it be possible for the U.S. to clarify its understanding of the notion of 'development' and of the practical application of limitations at this stage?" Harold Brown, a principal U.S. delegate, responded to this question as follows on August 27, 1971 (This statement is still considered the official U.S. interpretation of the word "development").

By "development" we have in mind that stage in the evolution of a weapon system which follows research (in research we include the activities of conceptual design and laboratory testing) and which precedes full-scale testing. The development stage, though, often overlapping with research, is usually associated with the construction and testing of one or more prototypes of the weapon system or its major components. In our view, it is entirely logical and practical to prohibit the development—in this sense—of those systems whose testing and deployment are prohibited.



Sidney Graybeal. During treaty negotiations, he co-chaired an Ad Hoc Committee that worked out the crucial language incorporated into Article V of the treaty banning the development and testing of future mobile and space-based ABMs.

On September 3, Ambassador Smith and Ambassador Semenov, the head of the Soviet delegation, assigned the completion of work on this article to an Ad Hoc Committee, co-chaired by Sidney Graybeal for the Americans and Viktor Karpov for the Soviets. At a meeting on September 8, 1971, the Ad Hoc Committee took up the issue of limits on future systems. Graybeal explained that both paragraph 1 and paragraph 2 of the U.S. draft article were "intended to address future ABM systems that would utilize components or devices other than launchers, interceptor missiles, or radars." He expressed his understanding that "it is the intention of both sides to limit the arms competition in the future as well as at present." Karpov agreed that it was the intention of the parties to limit ABM systems generally, not just present ABM systems. But he repeated the Soviet skepticism over limits on deployment of fixed land-based systems using "other devices" in paragraph 1, saying that "if the U.S. side believes that such systems exist in reality, then it should identify and name them so that the possibilities to limit them could become clear" and that he "could not agree to an approach designed to prevent deployment in the future of certain systems when the systems to be limited are undefined." He went on to suggest that such future systems could be handled satisfactorily through the joint commission to be set up by the ABM Treaty (the Standing Consultative Commission, or SCC). Pursuant to his instructions, Graybeal argued that "an operative article indicating clearly the obligations with regard to improvement of existing ABM systems and with regard to future systems would be far more useful than merely referring these questions to the Standing Commission." This comment by Graybeal made clear that the U.S. proposal was intended to include not only "improvements" in existing ABM missiles, ABM launchers, and ABM radars, but future ABM systems based on new technologies.

Significantly, this entire discussion of

whether future systems could be limited in the treaty proper or in the SCC was related to paragraph 1 on fixed land-based systems. While the Soviet position that the treaty should not limit future systems could have applied to both mobile and fixed land-based systems, Karpov and other Soviet negotiators consistently linked their objections to paragraph 1's prohibition on deployment of fixed land-based ABMs using new technology. This may have reflected a desire to gain more information about new U.S. ABM programs, which at that time focused on fixed land-based lasers. (We now know that the Soviets were also engaged in research on such lasers at that time.) Karpov repeatedly expressed the view that the United States should identify the systems to which paragraph 1's limitations would apply, otherwise the provision would be difficult to verify and could result in misunderstandings in the future.

However, while questioning the U.S. approach to fixed land-based systems, during a series of discussions at three successive meetings of the Karpov-Graybeal Ad Hoc Committee, the Soviet side proposed language and made explicit statements which culminated in agreement with the U.S. position on limiting mobile ABM systems—both present and future. On September 8, Karpov proposed new language regarding limits on mobile systems which was described as an attempt "to merge the language" of the two sides' positions. On September 13, Karpov represented this Soviet draft language on mobile systems as a way to take "into account the wishes of the U.S. side." The Soviet language read:

Each Party undertakes not to construct, not to test and not to deploy mobile land-based, sea-based, air-based or space-based ABM systems and their components, specially constructed for such systems.

The crucial meeting on this subject occurred on September 15. Karpov argued that by substituting the general word "components" for the list of radars, launchers, and missiles used in the previous draft, the new Soviet text "obviates the requirement for the phrase 'other devices for performing the functions of these components'" in the U.S. proposal. The Soviets also accompanied this change in their position by substituting a different Russian word for "components" in this Article than they had been using to date in the definitional Article II (The Russian word used in Article II was used at the time to mean only missiles, launchers, and radars). The critical factor,



As co-chairman of the Ad Hoc Committee with Sidney Graybeal, Viktor Karpov agreed with the U.S. interpretation that the ban on mobile ABM systems included future components.

however, was in Karpov's explanation of the new Soviet proposal. The account of the meeting reports, "Karpov agreed with Graybeal's interpretation that the Soviet text meant 'any type of present or future components' of ABM systems." Satisfied that he had achieved Soviet agreement that the prohibition on mobile ABM systems included future systems, Graybeal said he "would take the new Soviet formulations into consideration and refer it to the U.S. delegation."

Following some slight modifications, the two delegations soon agreed to final language. On September 23, the U.S.-Soviet Joint Draft Text of Article V(1) read: "Each party undertakes not to develop, test, or deploy sea-based, air-based, space-based, or mobile land-based ABM systems or their components." On September 24, the last day of the fifth negotiating session in Helsinki, the U.S. delegation reported to Washington that language on mobile ABM systems "including components for future ABM systems which are not fixed and land-based . . . was agreed ad referendum."

The remarkable fact was that the U.S. delegation had thus essentially carried out a critical portion of NSDM 127 within five weeks of first raising the subject. It had gained Soviet agreement to language encompassing a broad ban on mobile ABMs, including future ABM systems based on new technology in Article V (1). The irony, today, is that Sofaer rejects what the U.S. delegation obtained without great controversy in five weeks, but accepts what it took many more months to obtain: namely, Soviet agreement to the other part of NSDM 127 which prohibited deployment of fixed land-based systems based on new technology.

When the negotiations resumed in November for the sixth session, now in Vienna, Soviet negotiator Shchukin specifically referred to the importance of the completion of the language limiting mobile ABM systems. He said on November 30, 1971, that "the results of this work had been confirmed in Moscow during the interval between Helsinki and Vienna" and that "it was of fundamental importance to have reached agreement on [mobile systems] . . . This provision in particular confirmed the importance both sides attached to preparing a draft which excluded the possibility of deployment of ABM defenses of the territory of a country." This comment demonstrated a Soviet recognition that even the possibility of a nationwide defense based on mobile systems was precluded by the agreement, a distinct reference to the fact that future space-based and mobile-type ABMs were covered.

At the beginning of this sixth negotiating session, two issues concerning the implementation of NSDM 127 remained. First, in order to make clear that the treaty as a whole, including Article V (1), applied to future ABMs, the Article II definition of what constituted an ABM system needed to be agreed upon and completed. Second, the two delegations had not reached agreement on whether to ban deployment of future fixed land-based ABMs.

B. Negotiations on Article II—The Definition

The purpose of Article II was to define the weapon systems that the treaty was intended to circumscribe in other articles and

provisions. Because the specific prohibitions in the treaty on ABM systems or components (contained in Articles III through IX) depended upon the definitions in Article II, the drafting of this article was of critical importance.

The U.S. delegation was well aware that unless the definition of an ABM system in Article II plainly applied to present and future weapon systems, some doubt would exist as to the September agreement banning space-based and mobile-type ABM systems based on future technologies. Thus, the U.S. proposals were designed to apply a "functional" approach, whereby an ABM system was defined as any weapon system that could perform the functions of intercepting ballistic missiles.

When the sixth session began, the draft Soviet text of Article II was still unchanged from its original proposal of April 1971, which essentially stated that an ABM system consisted of ABM interceptor missiles, ABM launchers, and ABM radars. From the Soviet perspective, this language clearly excluded their air defense systems, which they gave a high priority. From the U.S. perspective, this definition would have limited the scope of the treaty to the technology of the day, which was contrary to NSDM 127. As early as September 2, 1971, in a discussion of Article II, Soviet negotiator Karpov had stated the Soviet aversion to a definition that might apply to an air defense system, arguing that "the question of converting SAM's [air defense missiles] into ABMs is not a practical question—it is an artificial problem." (The air defense issue, which the delegation returned to repeatedly, was one of the more complex ones throughout the negotiations.

ABM Treaty: Article II

1. For the purpose of this Treaty an ABM system is a system to counter strategic ballistic missiles or their elements in flight trajectory, currently consisting of:

- (a) ABM interceptor missiles, which are interceptor missiles constructed and deployed for an ABM role, or of a type tested in an ABM mode;
- (b) ABM launchers, which are launchers constructed and deployed for launching ABM interceptor missiles; and
- (c) ABM radars, which are radars constructed and deployed for an ABM role, or of a type tested in an ABM mode.

2. The ABM system components listed in paragraph 1 of this Article include those which are:

- (a) operational;
- (b) under construction;
- (c) undergoing testing;
- (d) undergoing overhaul, repair or conversion; or
- (e) mothballed.

far more contentious than the question of limits on future ABMs).

In the various negotiating exchanges on Article II, both the U.S. and the Soviet delegations acknowledged that because this article was definitional, it would not prejudice either sides' positions regarding how certain systems would be regulated elsewhere in the treaty. Specifically, it would not prejudice whether or not the treaty would prohibit deployment of fixed land-based ABMs based on new technology.

When discussing the significance of the functional definition of an ABM system in its draft of Article II, the U.S. delegation made clear to the Soviets that future ABM systems were included. As early as September 9, Graybeal had told Soviet negotiator Karpov that the delegations disagreed "regarding the adequacy of the definitions in paragraph I of U.S. Article II. He thought that these definitions were adequate to deal with all ABM systems, while [the Soviet version]... dealt only with ABM launchers, ABM interceptors, and ABM radars."

December 20 and 21, 1971

Following agreement on minor issues related to the wording of Article II, the critical breakthrough occurred on December 20 and December 21, 1971. At this point, Ambassadors Smith and Semenov had tasked a working group—Garthoff and Parsons for the U.S. and Grinevsky and Kishilov for the Soviet Union—to complete Article II. A week earlier, on December 13, the Soviet side had proposed the following paragraph for Article II:

For purposes of this Treaty: (a) an ABM system is a system specially constructed and deployed to counter strategic ballistic missiles or their elements in flight trajectory and including the following components—ABM interceptor missiles, ABM launchers, and ABM radars.

The phrase "and including" demonstrated that the Soviet definition only included the specific technologies listed.

On December 20, Garthoff tabled a U.S. draft that maintained a functional approach. The initial sentence defined an ABM system as "a system to counter strategic ballistic missiles or their elements in flight trajectory." Subsequent sentences then described and defined ABM missiles, ABM launchers, and ABM radars. However, the U.S. draft did not contain lan-



Ambassador Gerard Smith, head of the U.S. delegation, with his Soviet counterpart Ambassador Vladimir Semenov in 1969. With them are two members of the U.S. delegation, Paul Nitze and Lt. Gen. Royal Allison.

guage connecting the initial sentence which defined an ABM system with the subsequent sentences defining certain existing components. After examining our proposal, Grinevsky observed that "his Delegation strongly believed that there should be some connective such as 'namely' or 'consisting of.'"

At this point, Garthoff proposed that:

The American side did not consider that a connective of this kind was either necessary or desirable. If, however, there were to be one, it should be precise. Therefore, he suggested, we might consider use of the phrase "currently consisting of" as a connective.

When he made this change, Garthoff clearly explained that this language would demonstrate that the term "ABM system" would apply to both present and future ABMs, as the U.S. team had proposed in the past. Further, Garthoff recalled the understanding of both sides that Article II did not impose limits or prohibitions. Since Article II merely defined an ABM system, how and to what degree those systems would be constrained was to be determined in other Articles.

After Garthoff provided this critical justification for inserting the words "currently consisting of," Grinevsky agreed to take up the proposal with his delegation. On the very next day (December 21), the Soviet side presented a new draft of Article II, which incorporated the words "currently consisting of." In so doing, Grinevsky and Kishilov both highlighted the sig-

nificance of this insertion, suggesting that agreeing to this language was an important Soviet concession. They stressed that even while accepting the U.S. proposal on Article II, "a very delicate situation within the Soviet delegation" had developed and that "the expression 'currently consisting of' had been strongly objected to by some members of the Soviet delegation." By emphasizing the internal opposition, Grinevsky and Kishilov demonstrated that the Soviet delegation fully understood the consequences of incorporating the U.S. language and had, after some conflict, decided to accept completely the U.S. position on Article II.

On the next day, Article II was incorporated into the Joint Draft Text as a provision fully accepted by both parties. In so doing, the U.S. team had secured language which insured that future ABMs were covered and which reinforced the September agreement on Article VI(1) that mobile ABMs, both existing and future, would be confined to research.

Thus, by late December, the subject of whether or not the treaty would restrict both present and future types of mobile ABMs was essentially closed except for a drafting change proposed by the U.S. in April, and accepted by the Soviets. (This minor change made clear that mobile components of an otherwise fixed land-based system were prohibited.) After completion of Article II, with regard to NSDM 127 the remaining issue was the U.S. proposal to prohibit the deployment of future types of ABMs which were fixed and land-based. None of the statements or proposals made

by either delegation between the completion of Article II on December 22, 1971, and the conclusion of the negotiations raised questions about the agreement reached on prohibiting mobile ABMs. The delegations did continue to discuss Article V, but the negotiations were completely focused on the U.S. proposal for Article V(3), which at that time related to fixed land-based ABMs.

C. Negotiation on Fixed Land-based ABMs

The U.S. had first proposed in August 1971 that the treaty text include an Article prohibiting the deployment of fixed land-based ABMs using future technology. This became known as Article V(3). Throughout the fifth session in Helsinki, the Soviet delegation expressed its opposition to such a prohibition. While the Soviets did agree in the fifth session to a broad ban in Article V(1) on future ABMs which were mobile, the U.S. proposed Article V(3) on fixed land-based systems remained in brackets, indicating disagreement, in the joint draft text when the fifth session ended.

Early in the sixth session in Vienna, the Soviet delegation renewed its opposition to a ban on future fixed land-based ABMs. Their opposition took the form of asserting that the treaty should not limit weapon systems which could not be explicitly identified. Some members of the U.S. delegation believed that the Soviets were engaged in a fishing expedition—attempting to obtain information on secret U.S. laser research programs. Their opposition, however, never extended to the ban in Article V(1) on mobile ABM systems. At no time did the Soviet delegation deny or cast doubt on the agreement reached between Graybeal and Karpov on September 15. Moreover, in early December, while expressing opposition to the U.S. proposal on future fixed land-based ABMs, Chulitsky, a Soviet negotiator, made an explicit statement that future mobile-type ABMs were already prohibited by Article V(1). On December 4, Chulitsky argued "that the prohibition on air-based, space-based, land-based, [sic] etc. ABM systems is adequate to cover the problem of future systems."

Despite this initial opposition to banning deployment of future fixed land-based ABMs, substantial progress on the question was made during the sixth session, and the issue was finally settled during the seventh. In a series of steps, from December 1971 to May 1972, involving Article I, II, III, and Agreed Statement D, the delegation obtained Soviet agreement to

ban deployment of future fixed land-based ABM systems. First, full agreement was reached on Articles I and II. Second, the U.S. withdrew Article V(3) but obtained the same ban on future fixed land-based ABMs in Agreed Statement D and Article III.

Article I(2)

At the opening of the sixth session, the Soviet delegation proposed that Article I include an undertaking not to deploy ABM systems for a defense of either sides' territory. On November 30, Soviet negotiator Kishilov described this new language as a "partial substitute" for the U.S. proposal on future systems in Article V(3). We accepted the new Soviet language on December 21, after the insertion of a phrase also prohibiting a "base" for a territorial defense. On the same day, both delegations agreed to Article II, which defined an ABM system as including future systems. Thus, the combination of Article I and Article II partially fulfilled the objectives of NSDM 127—that the treaty not allow circumvention of the ban on nationwide defenses through deployment of future fixed land-based ABMs. At the same time, we continued to insist that Article I did not obviate the need for specific language prohibiting that deployment.

By this time, the delegation was authorized to provide examples of future ABM systems. This instruction was designed as a response to the Soviet argument that future ABMs should be identified. On December 10, 1971, pursuant to these instructions, Harold Brown specified that "lasers and particle accelerators" would be covered by the proposed ban. Following Brown's identification of future systems, an important facet of the Soviet rationale for objecting to a deployment ban became apparent in a December 10 exchange between Soviet negotiator Shchukin and Paul Nitze. Shchukin explained that both sides had agreed to prohibit territorial defenses and that the

Soviet proposal for Article I would "ban the deployment of future systems in a manner providing a territorial defense." However, if new technology were to allow the permitted ABM functions at fixed land-based sites to be carried out "in a more efficient and less costly manner" he believed such new technology should be permitted. When Nitze asked how the sides could be sure that the nature of new technologies would not render meaningless the numerical restrictions in Article III on permitted systems, Shchukin suggested, "were such future systems to reach a stage where they could be deployed, the question would be referred to the Standing Commission, through which the necessary regulations could be worked out." Nitze then asked Shchukin whether the Soviets could agree that no such deployment could take place without prior agreement in the SCC. Shchukin said yes.

This discussion helped prepare the groundwork for subsequent agreement. NSDM 127 had indicated that the U.S. objective was to prohibit the deployment of future fixed land-based ABMs but to allow development and testing. The instructions also indicated that any problems that might arise should be handled through the SCC. Soviet negotiator Shchukin's comments made clear that the Soviet Union would be willing to accept this formulation, and the basis for agreement was apparent.

Agreed Statement D and Article III

After recognizing that the essence of both sides' positions were not that far apart, on December 17 Garthoff suggested the possibility that Article V(3) need not necessarily be part of the treaty but could be an agreed interpretation, so long as the substance of the U.S. position was maintained. Three days later, Garthoff told his counterpart that while an "agreed minute" might be acceptable in lieu of the language in Article V(3) "there must be a clear agreed mutual understanding that, prior to any

ABM Treaty: Article I

1. Each Party undertakes to limit anti-ballistic missile (ABM) systems and to adopt other measures in accordance with the provisions of this Treaty.
2. Each Party undertakes not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense, and not to deploy ABM systems for defense of an individual region except as provided for in Article III of this Treaty.

deployment of future systems and components, there would be consultation and agreement in the Standing Consultative Commission." On December 20, when Garthoff transmitted proposed language for the agreed minute, he said, "while maintaining our basic position on this matter, the U.S. side is willing to drop Article V(3) if there is a clear agreed understanding." Thus, when the U.S. delegation proposed to drop Article V(3), it did so on the condition that its "basic position" on future fixed land-based ABM systems be made part of a binding understanding, not as a trade-off for other Soviet concessions. Indeed, Article V(3) was not actually dropped from the draft text until much later when the U.S. delegation was satisfied that its substance had been fully agreed.

The proposed agreed minute was to be tied to Article III, which specified the permitted ABM deployments. While Article III of the Treaty was not completed until the seventh session in April 1972, the basic substance of the Article was clear in January 1972: each side would only be permitted limited ABM deployment areas, and severe quantitative and qualitative limits would be placed on the fixed systems located at the designated areas. The U.S. goal was to ensure that these limits could not be obviated through deployments of ABM systems and components which employed new technology or by other circumventions. Paul Nitze expressed this concern on January 11, 1972, asking rhetorically, if future "components" were developed and could in fact be

ABM Treaty: Article III

Each Party undertakes not to deploy ABM systems or their components except that:

(a) within one ABM system deployment area having a radius of one hundred and fifty kilometers and centered on the Party's national capital, a Party may deploy: (1) no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites, and (2) ABM radars within no more than six ABM radar complexes, the area of each complex being circular and having a diameter of no more than three kilometers; and

(b) within one ABM system deployment area having a radius of one hundred and fifty kilometers and containing ICBM silo launchers, a Party may deploy: (1) no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites, (2) two large phased-array ABM radars comparable in potential to corresponding ABM radars operational or under construction on the date of signature of the Treaty in an ABM system deployment area containing ICBM silo launchers, and (3) no more than eighteen ABM radars each having a potential less than the potential of the smaller of the above-mentioned two large phased-array ABM radars.

the light of Articles I, II, III, Grinevsky considered that a party would have the right—assuming consultations were held and did not lead to agreement—to deploy all around the country, say, a thousand stations for firing anti-ballistic missile laser interceptor beams. Grinevsky said no, it would not have such a right. But, he countered, it should be able to place telescopes.

The example of "telescopes" raised an important question which, among other things, delayed final agreement on the text of Agreed Statement D. Telescopes, making use of different technology, could be used

quired many more days of discussions but is not central to the reinterpretation issue.

January 31, 1972

After two more weeks of negotiation on Agreed Statement D, the sides agreed on two important points at a January 31, 1972, meeting. First, the combination of Articles I, II, and III would prohibit the deployment of future fixed land-based ABM systems even without an agreed understanding. Second, the agreed understanding would require that future deployment of components based on "other physical principles" be subject to discussion and agreement in the SCC if the new technology could substitute for the components limited in Article III, but not if it merely served as an "adjunct" to those components.

At that meeting, Garthoff read to his Soviet counterpart Grinevsky a prepared paper, entitled "Statement on 'Future ABM Systems,'" which expressed these two points clearly. It confirmed that no ABM systems could be deployed except as provided for in Article III and that Article III "should be drafted so as not to permit the deployment of devices other than ABM interceptor missiles, ABM launchers, or ABM radars to substitute for and perform their functions." The paper also stated that "Devices other than ABM interceptor missiles, ABM launchers, or ABM radars could be used as adjuncts to an ABM system provided that the devices could not perform the functions of and substitute for these three existing components. Soviet negotiator Grinevsky, after reading this prepared paper, said "he believed there

ABM Treaty: Agreed Statement D

In order to insure fulfillment of the obligation not to deploy ABM systems and their components except as provided in Article III of the Treaty, the Parties agree that in the event ABM systems based on other physical principles and including components capable of substituting for ABM interceptor missiles, ABM launchers, or ABM radars are created in the future, specific limitations on such systems and their components would be subject to discussion in accordance with Article XIII and agreement in accordance with Article XIV of the Treaty.

deployed in a manner to circumvent the specific limitations of Article III of the treaty, would it not be appropriate that they also be subject to agreement between our Governments?"

Negotiating exchanges in January 1972 demonstrated that both delegations understood that large-scale deployment of future fixed land-based systems would be prohibited even without the agreed minute to replace Article V(3). According to the negotiating record, on January 11 Garthoff asked his Soviet counterpart whether, "in

to assist ABM radars in discriminating between real reentry vehicles and decoys or chaff. Such devices, which the U.S. side called "adjuncts," were not intended to substitute for ABM launchers, radars, and missiles, but merely to supplement them. Indeed, like the Soviet military, the U.S. Joint Chiefs of Staff wanted to ensure that "adjuncts" based on new technology could be part of a permitted deployment. Resolving how the possibility of "adjuncts" would be treated, which was of great importance to the Defense Department, re-

was complete agreement." Within two days, a number of minor drafting changes were completed and both delegations expressed their satisfaction with the language of Agreed Statement D.

The final discussions on Article III took place at the sixth and seventh negotiating sessions. In keeping with the mutual understanding reached in January that Article III would prohibit deployment of any ABM systems other than those expressly permitted in the article, we proposed on April 26, 1972, the following lead-in language to Article III: "Each Party undertakes not to deploy ABM systems or their components except as follows: . . ." On April 28, Soviet negotiator Grinevsky told Parsons that the Soviet delegation could agree to a formulation for Article III in which neither side could deploy ABM systems or their components "except as the Article would provide" and that "this would ban other systems." (Grinevsky's statement is also confirmation that the Soviet delegation understood that the phrase "ABM systems and components" includes future systems.) The final text agreed to in May 1972 incorporated this lead-in.

The U.S. recognized from January 1972 onward that because Article III would prohibit deployment of any system which it did not expressly permit, Agreed Statement D was not strictly necessary to prevent deployment of future fixed land-based ABM systems. However, because the U.S. had constantly been seeking more, not less, specificity and precision, there was no sensible reason to delete it, especially since Article III and Agreed Statement D were mutually reinforcing. Indeed, the U.S. believed the agreed understanding was important for other reasons. NSDM 127 instructed the delegation that the agreement "should not prohibit the development and testing of future ABM components in a fixed land-based mode" and that "the agreement should not be interpreted in such a way that either side could circumvent its provisions through future ABM systems or components." Because Agreed Statement D only prohibited the deployment of future fixed land-based systems, it implicitly allowed development and testing. Moreover, by clarifying that future technologies would become subject to discussion and agreement in the SCC only when they were "capable of substituting for" existing components, Agreed Statement D not only prevented circumvention of the specific limitations on deployment in Article III, it also allowed for the use of new technologies as "adjuncts," an outcome sought by both sides.

The Final Memorandum

From January to May 1972, I wrote a series of Memoranda to clarify what points had been agreed and what points required further discussion. In preparing these Memoranda, I would confer with members of the delegation to determine our understanding of the agreed meaning of various articles in the treaty. The final Memorandum, dated May 24, 1972, reflected the views of the entire U.S. delegation. With respect to Article V(1), it states:

Paragraph 1 of Article V prohibits the development, testing, or deployment of:

— an ABM system that is sea-based, air-based, space-based, or mobile land-based.

— an ABM interceptor missile, ABM launcher, or ABM radar that is sea-based, air-based, space-based, or mobile land-based.

— a device capable of substituting for an ABM interceptor missile, ABM launcher or ABM radar that is sea-based, air-based, space-based, or mobile land-based (such as an air-based "killer" laser).

The memorandum was also clear with regard to the scope of the definition in Article II:

An ABM system is described in paragraph 1 of Article II in terms of "current" ABM components. This

does not however, limit the generality of the term ABM system as used in the Treaty to systems composed of "current" ABM components, but would also include "future systems" based on physical principles other than those used for "current" ABM components and capable of substituting for a "current" ABM component.

Senator Nunn characterized the Memorandum as follows: "In this form, the memorandum fully confirms the Traditional Interpretation of the Treaty as presented to the Senate and directly refutes Sofaer's reinterpretation." Indeed, the substance of the advice in this memorandum was summarized in a chapter I wrote for a book, (published in 1974), which stated "The overall effect of the treaty, therefore, is to prohibit any deployment of future systems and to limit their development and testing to those in a fixed land-based mode."

There is no doubt whatsoever that the entire U.S. delegation, including Paul Nitze, reviewed and agreed on this issue in 1972. The reinterpretation is nothing short of a repudiation of the delegation's explicit and unanimous understanding of the treaty's meaning.

The history of the ABM Treaty negotiations demonstrates that when the U.S. and Soviet delegations reached agreement on the text of the treaty both sides understood its meaning as being the traditional interpretation. That interpretation establishes



The U.S. SALT delegation in 1969. From left, they are Ambassador Philip Farley, Ambassador Leueilyn Thompson, former Secretary of Defense Harold Brown, Ambassador Paul Nitze, Lt. Gen. Royal Allison, and Ambassador Gerard Smith.

the legal obligations of the United States under international law and domestic law. Unilateral U.S. implementation of the new interpretation without an agreed formal amendment would constitute a material breach of the treaty.

Beyond the Reinterpretation

During the negotiations, the delegation purposely left open details as to the exact scope of the term ABM "component" in the context of future technologies. This was consistent with NSDM 127, which sought agreement on the broad principle. It also reflected the fact that the U.S. government did not then know how to address that subject sensibly at a high level of specificity. What constitutes a new "component," coupled with the related question of the dividing line between permitted research and prohibited development, are the issues that should be engaging the U.S. and Soviet delegations now in Geneva. While their current public position is unduly restrictive, the Soviets have offered to negotiate these issues. The U.S. delegation, however, reportedly has explicit instructions from President Reagan not to negotiate on this question because it would legitimize the traditional interpretation. This is an unprecedented posture for the United States since the beginning of SALT and one which will almost certainly block any chance to achieve the deep reductions in offensive systems the President seeks.

The posture is particularly unfortunate, because a prudent, verifiable threshold applicable to future systems would even permit continued research and development in space on SDI programs, as long as the work remained below the capabilities necessary for a true ABM role.

The Congress and Executive are unlikely to remain in a stalemate over the reinterpretation issue in the context of the upcoming budget. If enacted, the pending Nunn-Levin amendment would have the effect of legislating the "traditional" interpretation as part of the Senate's Defense Department authorization bill. That amendment could be added to the appropriations bill or a continuing resolution. A similar provision passed the House by a vote of 262-159. Such an approach is clearly constitutional. While the President threatens a veto, it is hard to imagine the government shutting down over disagreement on this issue. Congress should remain firm. Using its power of the purse, Congress should require U.S. adherence to the traditional interpretation.

From a political point of view, the White House continues to suffer serious damage by not accepting the position of Senator Nunn, Chairman of the Senate Armed Services Committee, and thus avoiding a major confrontation with this pro-defense, conservative Democrat, whose support is so critical to the Defense Department. It appears to be sheer madness to challenge Nunn's reasoned views, which were understated, but laid out with

characteristic precision. This is especially true because the reinterpretation is not even necessary in order to continue a robust SDI program, which Nunn supports. The President's closest advisers must try to regain control of political reality.

The consequences of McFarlane's ill-advised announcement nearly two years ago, and the constantly unsound advice received from Sofaer both before and after, continue to bedevil the administration. The President should come to understand that while the reinterpretation may not block a summit and an INF agreement, it is a legal sham that seriously damages the international credibility of the United States and makes impossible the achievement of deep reductions in offensive arms, which could be the capstone of the Reagan presidency.

ACT

NOTES

¹The full quotation reads:

"The future systems ban applies to devices which would be capable of substituting for one or more of the three basic ABM components, such as a 'killer' laser or a particle accelerator. Article III of the treaty does not preclude either development or testing of fixed land-based devices which could substitute for ABM components, but does prohibit their deployment. Article V, on the other hand, prohibits development and testing, as well as deployment, of air-based, sea-based, space-based, or mobile land-based ABM systems or components, which includes future systems for these kinds of environments. The overall effect of the treaty, therefore, is to prohibit any deployment of future systems and to limit their development and testing to those in a fixed land-based mode. Certain devices, such as telescopes, which are simply adjuncts to, not substitutes for, present ABM components are not covered." [Emphasis added]

See John B. Rhinelander, "The SALT I Agreements," in Mason Willich and John B. Rhinelander, *SALT: The Moscow Agreements and Beyond* (New York: The Free Press, 1974), p. 128.)

Quotations in this article were drawn primarily from actual memoranda prepared by the U.S. delegation during the ABM Treaty negotiations and released by the Department of State on May 11, 1987. Statements by Soviet negotiators cited in this article are based on the notes of the U.S. negotiators. All emphases in the quotes are added by the authors. Additional sources include:

The ABM Treaty, Part I: Treaty Language and Negotiating History. Office of the Legal Advisor, Department of State, May 11, 1987; *Interpretation of the ABM Treaty, Part IV, An Examination of Judge Sofaer's Analysis of the Negotiating Record*. Senator Sam Nunn, May 19, 1987; *Policy vs. Law: The Reinterpretation of the ABM Treaty*. Raymond L. Garthoff (Washington, DC: The Brookings Institution, September 1987).



President Nixon and Soviet General Secretary Brezhnev after the signing of the SALT I Treaty, May 26, 1972.

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Gorbachev's definition of "reasonable sufficiency" does not differ that much from the goals stated by Brezhnev and Andropov.

ANOTHER LOOK AT THE USSR'S

"DEFENSIVE" DOCTRINE

THERE are great hopes in the West that fundamental changes are taking place in the Soviet Union. Only two years ago, Mikhail Gorbachev, General Secretary of the Communist Party of the USSR, declared that "in the military sphere, we intend to act in such a way as to give nobody grounds for fears, even imagined ones, about their security."

Many Soviet leaders in the past have expressed similar sentiments, which at the time were taken at their face value. Invariably, some Soviet action—Hungary in 1956, Berlin in 1961, Cuba in 1962, Czechoslovakia in 1968, Afghanistan in 1979—shocked Western publics back to reality.

Now the "new political thinking" in Moscow is said to have brought about the following:

- Soviet military doctrine now has a purely "defensive" character.
- The Kremlin's military forces are to be maintained at a level of "reasonable sufficiency."
- Society, industry, and the Soviet armed forces are being "restructured."

Assertions of changes under way in the USSR currently appear in the Soviet press, are broadcast by Soviet shortwave to the West, and are topics of conversation when NATO political leaders and scholars are invited to Moscow to meet with selected members of the Soviet Gen-

BY WILLIAM F. SCOTT

A Soviet war veteran proudly displays his military decorations. According to the teachings of Marxism-Leninism, the Soviet Union, by definition, can only wage wars that are "defensive" in character.

eral Staff and research institutes.

Suggestions that Kremlin leaders are placing increased emphasis on raising the living standard of the Soviet people rather than on a continued military buildup are having considerable impact on NATO defense planners. Some believe that deep cuts in both Soviet and NATO military forces can soon be accomplished.

In May 1987, a resolution of the Warsaw Pact Political Consultative Committee proposed that "authoritative" spokesmen from the Warsaw Pact and NATO get together to discuss their respective military doctrines. This sparked further optimism as to what might be achieved with respect to arms control and force reductions.

But if changes concerning Soviet military posture are really in the making, then significant modifications to Soviet military doctrine should ensue as well. Before defense planners act on the assumption that a new era has begun with regard to the Kremlin's military policies, they should reexamine basic Soviet military concepts and the current Soviet force structure.

Soviet Military Doctrine

By Soviet definition, military doctrine is the military policy of the Communist Party. It has two sides, political and military-technical. The political side is dominant and is formulated by the Party. The military-technical side is based on the findings of military science. Although the armed forces have primary responsibility for the military-technical side, final decisions are made by the Party leadership, not by the military.

Military doctrine is concerned with the essence, aims, and character of a potential future war, the preparation of the country and its armed forces for it, and the methods by which it will be fought. Provisions of doctrine have the force of law. Doctrine is not the same as military strategy, which executes the dictates of doctrine and is subordinate to it.

While Soviet leaders now assert that their military doctrine has a "purely defensive" character, a review of Soviet publications suggests otherwise.

Throughout the 1960s and 1970s,

statements found in Soviet military textbooks propounded the "offensive" nature of their military doctrine. For example, the Soviet *Officer's Handbook* stated in 1971 that "Soviet military doctrine is offensive in character." Another book issued by the Soviet Academy of Sciences stated that "our military doctrine carries an offensive [*nastupatel'nyy*] character." There was no pretense that Soviet military doctrine was otherwise.

This was to change not after Gorbachev rose to power but in 1981, following the 26th Party Congress. A second edition of the work published by the Academy of Sciences appeared. The earlier statement was altered to read: "Our military doctrine, as already pointed out, carries a defensive [*oboronitel'nyy*] character, with the aim of guarding the gains of socialism." Emphasis on the "defensive" character of Soviet doctrine has continued since.

Resolving Contradictions

For a time, it appeared that there was a contradiction between strategy and doctrine. A 1986 textbook explained that military strategy stresses strategic offensive operations. But how could this be if doctrine is defensive?

A 1987 book written for Soviet officers resolved this seeming contradiction. Military doctrine has two sides, the political and the military-technical—and only the political side is "defensive." This accords with declarations Kremlin leaders have made for decades. The 1939 Soviet attack on Finland, the 1968 invasion of Czechoslovakia, the 1979 invasion of Afghanistan—none had been offensive with respect to doctrine. Even the placement of nuclear-armed missiles in Cuba in 1962 was termed "defensive."

The Kremlin's military doctrine is rationalized in the "just war" tenet of Marxism-Leninism. Capitalist nations wage "unjust" and "aggressive" wars, unless they are allies of a Communist nation. World War II was an unjust war by all participants until Hitler's attack on the Soviet Union. Then it became the Great Patriotic War. In this period, the war was "just" for all nations fighting Hitler's forces. "Just" wars, the only type of wars in which the "peace-loving" Soviet Union would

engage, by definition must be "defensive" wars.

Once a nation becomes involved in war, the military-technical side of doctrine requires that offensive actions be taken. Lenin's words are still quoted in Soviet texts and should be heeded by NATO planners:

"If we, in the face of such forces that are constantly actively hostile to us, would have to give a pledge, as has been proposed to us, that we would never resort to certain actions that in military-strategic relations might turn out to be offensive, then we would be not only fools but criminals. . . . When fighting, one must not 'wear down' the enemy, but destroy him."

At the same time that Soviet military doctrine became "defensive," the leadership also became modest about Soviet development of new weapon systems. Marshal Ogarkov had this to say:

"We know, for example, that the United States built the world's first atomic bomb in 1945 and proceeded to use it to threaten the Soviet Union, which did not develop a similar weapon until four years later. What is more, the United States was the first to test an even more powerful hydrogen bomb in 1952, while the USSR followed suit in 1953. The Americans also were first to build nuclear-powered submarines armed with ballistic missiles in 1960, while the USSR followed suit in 1967. . . . This list of strategic weapons could go on and on."

Such statements bring to mind George Orwell's 1984. What is presented as "truth" one day is removed from books the next, and a new "truth" is substituted. Prior to the 26th Party Congress, the Kremlin leadership had been very proud of its military research and development capability. A 1980 report contained the following:

"By 1947, the production of nuclear weapons did not represent a secret for us. In 1949, a nuclear bomb was created and tested in the Soviet Union, and, in 1953—earlier than in the United States of America—Soviet scientists created a thermonuclear bomb."

After the Party Congress in 1981, Washington was accused of developing new weapons that contributed to the arms race. There were no

more statements in the Soviet press about specific weapon systems initiated by Soviet scientists.

Some in the West have suggested that the Soviets build up militarily in reaction to real or imagined Western actions. But the foregoing suggests that the action-reaction thesis simply doesn't explain the continued Soviet military buildup. As former US Secretary of Defense Harold Brown has said: "When we build, the Soviets build. When we stop building, the Soviets build."

"Reasonable Sufficiency"

NATO nations are now placing great hopes on Soviet statements about maintaining armed forces at the level of "reasonable sufficiency." This expression is thought to have originated at the Party Congress in February 1986 when General Secretary Mikhail S. Gorbachev stated, "Our country stands for removing weapons of mass destruction from use, for limiting the military potential to *reasonable sufficiency* [*razumnoy dostatochnosti*]."

Calls for "reasonable sufficiency" were gradually given increased notice in the Soviet press. In February 1987, Marshal Sokolov, then Minister of Defense, called attention to this statement by Gorbachev: "The Soviet Union is ready to renounce its status as a nuclear power and reduce all other arms to the minimum of *reasonable sufficiency*."

This concept of "reasonable sufficiency," emerging at a time when there are hopes in the West for a meaningful arms-control agreement with Moscow, is being carefully studied. But it is still not clear what Soviet spokesmen actually mean by "reasonable sufficiency."

All Soviet authors make clear that Soviet nuclear forces must be able to deliver a retaliatory strike on an opponent. In August 1987, Lev Semeyko, a retired colonel formerly on the faculty of the Frunze Military Academy, wrote that "the concept of reasonable sufficiency is oriented to the future" and implies "long-term action." It is not expected to be fully implemented until "nuclear weapons and other types of mass-destruction weapons" are eliminated.

Thus, while it may appear that the Kremlin has found a new concept,

the words have a familiar ring. The United States has long sought to have an "assured second strike," meaning a strategic nuclear force that could survive a Soviet first strike and deliver a retaliatory strike on the Soviet Union. Moscow has maintained that they must possess sufficient nuclear forces "to give an aggressor a crushing rebuttal."

It appears that General Secretary Gorbachev's "reasonable sufficiency" is much the same as had been stated twenty years previously. In March 1966, General Secretary Leonid I. Brezhnev told the 23d Party Congress that "the armaments of Soviet troops are maintained at the level of contemporary requirements, and their striking power and firepower are *fully sufficient* to crush any aggressor." In his speech at Tula in January 1977, Brezhnev stated that the allegation that the Soviet Union is "going further than is *sufficient* for defense . . . is absurd and totally unfounded."

During his brief tenure as the Party's General Secretary, Yuriy V. Andropov made a similar statement: "The defense capabilities of the Soviet Union and the countries of the socialist community are supported at the *necessary level*." There does not appear to be any real difference in the meaning of "fully sufficient" as stated by Brezhnev and "reasonable sufficiency" as used by Gorbachev.

The Revolution in Military Affairs

The Soviet concept of doctrine goes back to the early 1920s. After Joseph Stalin consolidated his hold over the Soviet military in the 1930s, however, all discussion of military doctrine ceased. Stalin alone was the military "genius," the source of all wisdom. This situation continued until his death in 1953.

While Stalin was alive, nuclear weapons were scarcely mentioned in Soviet writings, despite the fact that a massive nuclear program was under way. Within months after his death, the restricted journal of the Soviet General Staff, *Military Thought*, began a series of articles on the impact of nuclear weapons on military science.

By 1959, the Kremlin had concluded that the nuclear-missile

weapon would be the decisive factor in future war. Therefore, it determined that the Soviet armed forces must achieve superiority over its probable opponents in such weapon systems. This was a doctrinal decision leading to the formation of the Strategic Rocket Forces in 1959.

The new military doctrine demanded a new strategy. This was formulated in the late 1950s and approved by the Party. Marshal V. D. Sokolovskiy, a former chief of the General Staff, headed a group of authors who presented the new strategy in an unclassified form to both the armed forces and the population as a whole in the book *Military Strategy*, first published in the summer of 1962, shortly before the Cuban missile confrontation.

Soviet strategists at that time anticipated that any future war with NATO forces would begin with a massive nuclear exchange. After all nuclear weapons were exhausted, the war would continue with whatever weapons were available until the final victory of communism was achieved. The slogan, "revolution in military affairs," was used to impress on the military, as well as the population as a whole, that the methods and consequences of war had changed.

By the latter half of the 1960s, the buildup of the strategic nuclear forces was well under way. Nuclear weapons were available in greater quantities and in different sizes.

Soviet military doctrine was then modified to include the possibility of a nonnuclear phase; that is, a war might begin with only the use of conventional weapons. It was anticipated that the conflict would escalate after several days, or perhaps weeks, to general nuclear war.

Even with this modification to doctrine, nuclear forces continued to have first priority in the Soviet military structure as "the main means of containment of the aggressive aspirations of imperialism."

The revolution in military affairs has not ended. Marshal Ogarkov in 1985 noted that it "is continuing in our day in connection with the *further development and qualitative improvement of nuclear weapons, rapid development of electronics, and in connection with the significant qualitative improvement of*

conventional means and methods of armed conflict" (*emphasis added*).

That same year, General Colonel M. A. Gareyev wrote that the initial period of war may be decisive. "The virtually unlimited range of the nuclear weapon delivery systems, making it possible in a short period of time to defeat any grouping of enemy armed forces, has altered the notions of the nature of war." This is remarkably similar to statements made in the 1960s.

No Immediate Changes

Soviet leaders seek to link the defensive character of their military doctrine and the concept of reasonable sufficiency with a warning about the consequences of nuclear war. For example, at the 27th Party Congress in 1986, General Secretary Gorbachev stated that it is essential "to prevent nuclear war in order that civilization can survive."

His predecessors have made similar statements. In the 1950s and 1960s, both G. M. Malenkov and Nikita Khrushchev warned that entire continents would be devastated if a nuclear war were to occur.

But the utility of nuclear weapons was recognized. When Nikita Khrushchev in 1956 announced a major change in one of the basic tenets of communism—that war between capitalism and communism is no longer necessarily inevitable—he added that this was because the forces of communism now have "formidable means" that permit them "to give a smashing rebuff to the aggressors and frustrate their adventurist plans." The "formidable means" were the small stockpile of nuclear weapons then possessed by the Soviet Union.

Primary emphasis from the late 1950s to the present has been given to the deployment of ballistic nuclear weapons, primarily strategic. This was in accordance with the priority set forth by doctrine. In 1972, the trip to Moscow by the President of the United States was an acknowledgment that the Soviet Union was a military superpower—a status gained primarily through its ground-based ICBMs. Without its military power, the USSR would be classified as an underdeveloped nation.

In 1981, Marshal Ogarkov wrote that nuclear weapons were so nu-

merous that their military effectiveness had been negated. Were they to be introduced in a war, their destructive power would bring about an end to civilization. It was believed by many in the West that Ogarkov's writings signaled that the Soviets no longer thought that there could be any possible gain from nuclear war and were placing increased emphasis on conventional weaponry.

Yet the buildup of Soviet nuclear weapons went on. Conventional weapons are also constantly being improved and deployed. Mobile intercontinental ballistic missile systems are being deployed. Massive, deep, underground shelters have been prepared to house the leadership in event of war. Large signs in major cities provide civil defense information.

The deputy head of the Main Political Administration of the Soviet Army and Navy pointed out that "the concept of new thinking does not go against Leninist teaching on the defense of the socialist homeland." These same "Leninist teachings" were used to justify the Soviet nuclear buildup in the 1960s and 1970s.

When the "reasonable sufficiency" standard and the "defensive military doctrine" are examined in context, it does not appear that the use of these expressions indicates any immediate change in the posture of the Soviet forces, either nuclear or conventional or any combination of the two.

For Show?

Since the 1960s, Soviet writers have also warned that no weapon, including the nuclear weapon, should be "absolutized." Marxist-Leninist dialectics emphasize the constant "struggle" between offensive weapons and defensive weapons.

The ABM system that surrounds Moscow continues to be upgraded. During the December 1987 summit

in Washington, Gorbachev acknowledged that Soviet scientists have been working on a more advanced strategic defense system. The Soviet Union is now dominant in manned space systems. New generations of Soviet weapons, superseding nuclear weapons, are currently receiving the Kremlin's attention.

Perhaps even now, Kremlin leaders have decided which of the new potential weapon systems will be decisive in a future war and are modifying their doctrine accordingly.

Since Gorbachev became the Party leader, the Soviet military press in some areas has become more restrictive than ever before. Foreign subscribers can no longer receive two major military journals, *Herald of Air Defense* and *Foreign Military Observer*. Fewer books on military matters are being published than previously. Travel restrictions for foreigners have not changed significantly since the late 1950s.

In 1973, the famed Soviet scientist, Andrei Sakharov, urged the West to speak out against "closed countries where everything that happens goes unseen by foreign eyes. . . . No one should dream of having such a neighbor, especially if that neighbor is armed to the teeth." Fifty or so carefully sanitized areas for NATO arms-control verification teams do not change the cogency of Sakharov's warning.

Prudent NATO planners should note that there is nothing really new in Moscow's assertions about the "defensive character" of military doctrine or about force levels of "reasonable sufficiency." Thus far, the so-called new Kremlin policy of "glasnost" (openness) appears to be one primarily of "pokazuka" (for show). Signs of possible change in the Soviet Union do exist. While hoping that such change is in the best interest of all nations, we must not forget the lessons of Soviet history. ■

Dr. William F. Scott retired from the Air Force in 1972 as a colonel. He served two tours in the US Embassy in Moscow, first as Senior Air Attaché (1962-64) and later (1970-72) as Air and Defense Attaché. Since then, he and his wife, Harriet Fast Scott, have made several return trips to the Soviet Union, the last being in 1987. Their next book, Soviet Military Doctrine, will appear later this year. Dr. Scott is presently a consultant to a number of research institutions and is a frequent lecturer at war colleges and universities. He is a regular contributor to the March issue of this magazine.

The true composition of power in the Kremlin is known only to the thirteen men who wield it.

GREAT efforts are being made to discern the real lineup of political power in Mikhail Gorbachev's Politburo. Before the Washington summit last December between President Reagan and the new Soviet General Secretary, US newspapers were filled with reports on the "key men in the Kremlin" and "the Gorbachev team."

The plain fact is that no one can be certain of the structure of power at the highest echelons of the Communist Party. It is only through the

It has a long and checkered history, one that reaches even further back into history than the October Revolution of 1917.

On October 7, 1917, Vladimir I. Ulyanov, clean-shaven, wearing a wig for disguise, and calling himself by his pseudonym, Nikolai Lenin, was smuggled into Petrograd from exile.

Three days later, fifteen days before the Red uprising began, twelve members of the Central Committee met with Lenin in the apartment of

THE POLITBURO

BY HARRIET FAST SCOTT

occasional volcanic eruption that flings unacceptable members out of the club that the US gains what little evidence it has about behind-the-scenes affairs.

Even so, attempting to crack the Politburo is worthwhile, if only because how the West views Gorbachev's own political situation has great effect on how it deals with the Soviet Union as a whole.

What, then, are the facts about this organization, its influence, and its operations?

The Politburo (short for *Politicheskoye Buro*, or "Political Bureau") of the Central Committee of the Communist Party of the Soviet Union (CPSU) is the key policy-making body that directs the work of the Party between plenums of the Central Committee.

G. K. Sukhanov at No. 32 on the Karpovka Embankment. It was there that feverish final preparations began for the approaching uprising.

Feliks Dzerzhinskiy, founder of the Cheka (precursor of today's KGB), proposed the formation of a Politburo to be headed by Lenin. The first seven-man Politburo, including Leon Trotsky, Joseph Stalin, Lev Kamenev, Grigoriy Zinoviev, Andrey Bubnov, and Grigoriy Sokolnikov, was organized by Lenin. This group gave political guidance to the revolution, but was disbanded not long after.

The Center of Power

The Politburo did not begin to function as a permanent agency until after the 8th Party Congress in

March 1919. Soon, however, it became the center of power, usurping the role of the Central Committee itself.

Composed of thirteen men today and never more than fifteen, the Politburo includes heads of higher Party and state agencies as well as the most influential and experienced political figures of the day.

Every five years, at the week-long Party Congress, delegates assemble to pick, among other things, a new Central Committee of the CPSU. In 1986, 5,000 delegates, representing nearly 20,000,000 Party members, selected 307 members and 107 candidate (nonvoting) members.

Central Committees must hold at least one plenum every six months. The first of these is held before the Congress adjourns and is intended for the sole purpose of choosing a new Politburo that will carry out broad Party policy. They also select a new Secretariat that will handle the day-to-day work of the Party through departments.

Simple though it sounds, the Po-



Gorbachev

litburo selection process is a ritual fraught with intrigue and political significance of the highest order. Ultimate power rests in the hands of this small group. The most important political, social, economic, and Party questions are decided at meetings of the Politburo.

How does it operate? The Politburo runs on the basis of "democratic centralism," that is, "strict Party discipline and subordination of the minority to the majority" and "unconditional commitment to decisions of higher agencies by lower ones."

Translated, this means that once the leadership reaches a decision, no dissent is permitted or tolerated. The Party's actions are strictly subordinated to one center—the Politburo.

In the current Politburo, it is Gorbachev himself, now about to embark on his fourth year in the General Secretary's post, who clearly dominates the action.

This is not to say, however, that there is a uniformity of views imposed by Gorbachev. The Politburo, in fact, is a microcosm of Soviet power and policies, reflecting the various regions, professions, and economic interests of society at large.

The Current Lineup

That much is made clear in a listing of the current lineup of members.

- Mikhail S. Gorbachev, a lawyer, is at fifty-seven the youngest of the Politburo's members. In Andrey Gromyko's 1985 speech nominating Gorbachev for General Secretary, he pointed out that Gorbachev had been a Party Secretary since 1978 and a full Politburo member since 1980. Gromyko further noted that Gorbachev had supervised the Secretariat for his predecessor, Konstantin Chernenko, and had also presided over Politburo meetings when Chernenko was not there. "A man of strong convictions" is the way that Gromyko described Gorbachev.

Gromyko warned that the "telescopes" of the world were focused on the Soviet Union. They are looking for cracks in the Soviet leadership, he said, but added, "We will not give our political enemies satisfaction on that score."

Gromyko did not fail to mention that Gorbachev had given close attention to the armed forces. In Politburo meetings, said Gromyko, the new leader had advised members of the necessity to "keep our powder dry." Gorbachev, contended Gromyko, always defended the "struggle" for peace and the need to keep Soviet defenses at the "necessary level" as "the holiest of holies" for all Soviet citizens.

- Nikolay Ryzhkov, fifty-eight, an engineer, is also a Politburo member. He was one of the first of the new Politburo appointees under Gorbachev, his elevation coming in April 1985. He became Chairman of the Council of Ministers—"Premier"—later that same year.

- Andrey Gromyko, seventy-eight, an economist and diplomat,

was appointed in 1973 to the Politburo. He has since July 1985 been Chairman of the Presidium of the Supreme Soviet—"President" of the nation. Until that time, the position of "President" had since 1977 been held by the General Secretary himself. Largely ceremonial, the post is seen as Gorbachev's reward to Gromyko for his support in the succession struggle. Gromyko from 1957 to 1985 served as Minister of Foreign Affairs. During World War II and after, Gromyko acted as Soviet Ambassador in Washington.

- Yegor Ligachev, sixty-seven, an aeronautical engineer, was also among the first of the Gorbachev appointments in 1985. As "second Secretary," he runs the Secretariat for Gorbachev. Western press reporting portrays Ligachev as being more "conservative" than Gorbachev, but there is little evidence one way or the other about this. He also is in charge of ideology and Party personnel, placing Gorbachev supporters in key Party slots.

- Aleksandr Yakovlev, sixty-five, a diplomat, was elevated to full



Ryzhkov



Gromyko

membership in 1987. Since 1986, he has been the Secretary in charge of ideology, propaganda, and culture. A former exchange student at Columbia University in New York, he accompanied Gorbachev to the Iceland summit in 1986 and to the Washington summit in 1987. He is a specialist on the United States and Canada, having served ten years as ambassador in Ottawa.

- Lev Zaykov, sixty-four, an engineer, was appointed to the Politburo in 1986. A Party Secretary since 1985, he is believed to be responsible for defense industry. In late 1987, Zaykov became First Secretary of the Moscow City Party Committee. The Moscow Party is second only to the Ukrainian Communist Party in size. He replaced the maverick Boris Yeltsin after the

latter was ousted for "gross political errors." Zaykov will probably be giving up his post in the Secretariat as a result his assumption of the new duties.

• Viktor Nikonov, fifty-nine, an agricultural expert, was appointed to the Politburo in mid-1987. He graduated from the Azov-Black Sea Agricultural Institute. The first man to be added to the Secretariat under Gorbachev, Nikonov is responsible for Soviet agriculture—one of the most important jobs in the country.

• Nikolay Slyunkov, fifty-eight, an engineer, was elevated to full Politburo membership in mid-1987. On the Secretariat since January 1977, Slyunkov is currently responsible for general economics. It is possible that he will take over responsibility for defense industry from Zaykov. From 1965 to 1974, he was director of the Minsk Tractor Production Combine, part of the vast USSR military-industrial complex. Belorussian by nationality, he was First Secretary of the Belorussian Communist Party until 1987.

• Viktor Chebrikov, sixty-four, a



Ligachev

Yakovlev

metallurgist, was elevated to full membership in the Politburo in April 1985. Holder of the rank of General of the Army, Chebrikov took over as head of the KGB in 1982 when Yuriy Andropov was appointed to the Secretariat as the Party's ideologist. Chebrikov had been Andropov's deputy since 1968.

• Eduard Shevardnadze, sixty, a historian, was appointed to full Politburo membership when he became Minister of Foreign Affairs in 1985. Shevardnadze and Gorbachev both reached the Party's inner circle in 1978: Shevardnadze joined the Politburo as a candidate member, and Gorbachev became part of the Secretariat. A Georgian by nationality, he headed the MVD police there before becoming First Secretary of the Georgian Communist

Party. He has met many times with Secretary of State George Shultz on arms-control matters and summit planning.

• Vitaliy Vorotnikov, sixty-two, an aeronautical engineer, was raised in status to full Politburo membership in June 1983. At that time, he became "Premier" of the Russian Soviet Federated Socialist Republic. He served as Soviet envoy to Fidel Castro's Cuba from 1979 to 1982.

• Mikhail Solomentsev, seventy-four, an engineer, was appointed to the Politburo in 1983 after twelve years as a candidate. As chairman of the Central Committee's Party Control Committee, he is responsible for Party discipline. From 1966 to 1971, Solomentsev was in the Secretariat, overseeing heavy industry. For twelve years, he served as "Premier" of the Russian Republic.

• Vladimir Shcherbitskiy, seventy, a chemical engineer, received full Politburo membership status in 1971. He had been a Politburo alternate from 1961 until he was ousted in 1963. Ukrainian by nationality, he has long been associated with the Dnepropetrovsk "Mafia" around Leonid Brezhnev. Brezhnev returned him to the Politburo as an alternate in 1965, after Brezhnev's rise to power. Shcherbitskiy was "Premier" of the Ukraine until 1972, when he became First Secretary of the Ukrainian Communist Party. Due to his position as Ukrainian Party chief, Shcherbitskiy was in the running to succeed his late mentor in 1982. But the stagnation and corruption of Brezhnev's last days, associated with the Dnepropetrovsk "Mafia," probably sank his chances.

Three Groups

Each of these thirteen members of the Politburo has his own power base and set of priorities. Each, however, can be placed into one of three general groupings.

At the top of the power structure, in the view of most experts, is the so-called "Party" group, which by dint of numbers and resources holds the principal levers of power.

Gorbachev, as General Secretary, heads the group. Working most closely with him are five additional men—all members of both the Polit-

buro and the Secretariat. They are Ligachev, Nikonov, Yakovlev, Slyunkov, and Zaykov.

A subcategory of this "Party" group is formed of regional Party bosses. It includes Shcherbitskiy of the Ukraine and Zaykov, who now runs the Moscow Party Committee. These are the two largest Communist Party organizations in the Soviet Union. Solomentsev, as Party control chairman, is in another subcategory as well.

Next in line behind the "Party" group is what is known as the "government" group, which comprises individuals who are affiliated primarily with the institutions of formal administration.

First among those members whose primary functions are in the Soviet "government" is "Premier" Ryzhkov, Chairman of the Council of Ministers in Moscow. Also in this category are Chebrikov, head of the KGB; Shevardnadze, Foreign Minister; and Vorotnikov, Chairman of the Russian Republic's Council of Ministers. General of the Army Dmitry Yazov, Minister of Defense



Zaykov

Nikonov

but only a candidate Politburo member, falls in this group.

Finally, there is the body that deals with "state" interests and that formalizes Party decisions into law. As Chairman of the Presidium of the Supreme Soviet, Gromyko functions as head of the state group in the Politburo.

So secret is another subgroup of the Politburo that its existence was not even mentioned officially until 1976. This is the Council of Defense.

Today, all that is really known for certain is that Gorbachev is the chairman of the Council of Defense. In 1977, the new Constitution of the USSR spelled out a few details of how it is formed. Brezhnev's later biographies credit him with being chairman of the Council of Defense

since becoming Party leader in 1964.

Determining the membership of the Council is mostly guesswork. In addition to Gorbachev, Politburo members Ryzhkov and Gromyko, representing government and state, undoubtedly have seats in the council. Defense Minister Yazov and KGB Head Chebrikov should also be members. Moreover, Ligachev, Yakovlev, and either Zaykov or Slyunkov may take part as well because of the fact that they are also in the Secretariat.

Musical Chairs

Far more revealing of the changing balance of power in the Politburo—and of Gorbachev's possible influence—is the record of the comings and goings of Politburo members since Gorbachev became the General Secretary.

On becoming General Secretary, Gorbachev inherited a "board of directors" from Konstantin Chernenko. Politburo members do not resign when a new leader comes aboard; the new leader has to ma-

in Gorbachev's favor, making possible the next move.

July 1985: At a critical meeting of the Central Committee, Grigoriy Romanov, Gorbachev's archrival in the succession struggle and reputed favorite of the military-industrial complex, was forced to resign "because of his health."

At the same time, Shevardnadze joined the Politburo and became Foreign Minister. Gromyko himself moved to a largely ceremonial post where he could put to use his long experience in foreign affairs to help the man he supported.

September 1985: The well-regarded Nikolay A. Tikhonov, seventy-nine at the time and chairman of the USSR's Council of Ministers, requested retirement.

February 1986: On the eve of the 27th Party Congress, a plenum stripped Viktor Grishin of his Politburo membership. As Party Secretary in Moscow, Grishin reportedly tried but failed to edge out Gorbachev for the General Secretary's post.

March 1986: The 27th Party Con-



Slyunkov

Chebrikov

Shevardnadze

Vorotnikov

neuver carefully to eliminate those who oppose him and to bring in his own supporters.

What has happened in the three years since Gorbachev and the nine other incumbent Politburo members attended Chernenko's funeral?

Five have been removed, one by one—two in 1985, one in 1986, and two more in 1987. While these five were departing, four new members were being added in 1985, one new one in 1986, and three more in 1987.

The removals and promotions came in several stages.

April 1985: At this time, the Central Committee held its first regular meeting since Gorbachev took over. Three of his supporters—Ligachev, Ryzhkov, and Chebrikov—are brought in at a single stroke. This tipped the balance in the Politburo

gress added Zaykov to the Politburo.

January 1987: Dinmukhamed A. Kunayev, seventy-three, a Kazakh and Muslim and former Brezhnev crony, was censured for corruption and ousted from the Politburo.

July 1987: Slyunkov, Yakovlev, and Nikonov were added to the Politburo.

October 1987: G. A. Aliyev, sixty-one, an Azerbaydzhanets, also a Muslim, and First Deputy Chairman of the USSR Council of Ministers, requested retirement for reasons of poor health and departed from the ranks of the Politburo.

As the year 1988 began, the remaining four holdovers from the pre-Gorbachev era—Shcherbitskiy, Gromyko, Solomentsev, and Vorotnikov—were still on the Politburo.

Over the past three years, political maneuvering has led to the appointment of no fewer than eight new men, all younger than the men they replaced but older than Gorbachev himself. All can be said to be supporters of Gorbachev to a greater or lesser degree.

A Glimpse Inside

What happened at Politburo meetings remained a mystery until Soviet newspapers, in 1982, began to publish summaries of the sessions. Accounts of recent meetings have proved at times to be illuminating.

For example, the *Pravda* summary of the Politburo meeting on May 30, 1987, was devoted entirely to the landing in Red Square of the West German teenager, Mathias Rust, who had piloted his private aircraft into the Soviet Union on a peace mission just a few days before.

The summary began by describing a report on the "violation" of Soviet airspace that was given by Defense Minister Sergei Sokolov. Then the *Pravda* account revealed that the lightplane from the Hamburg air club had been detected on radar immediately on crossing the border. Even though Soviet fighters flew over it twice, the Politburo noted that the Troops of Air Defense Command displayed "intolerable unconcern and indecisiveness" in stopping the flight.

This fact was taken as proof of "serious flaws in the organization of keeping a combat alert" in the air, "a lack of necessary vigilance and discipline," and "major omissions in leadership of troops from the Ministry of Defense."

As a result, the Politburo found it necessary to relieve Chief Marshal of Aviation A. I. Koldunov of his duties as Deputy Minister of Defense and Commander in Chief of the Troops of Air Defense because of "negligence and lack of organization in cutting short the indicated intrusion."

The Politburo, *Pravda* continued, also decided to "strengthen the leadership" of the Ministry of Defense. This meant that Marshal of the Soviet Union Sokolov was sacked. There was a tiny notice on page one naming General of the Army Dmitry Yazov as new Minister of Defense.

The Bloody Past

Even these strains in the transfer of power in the Politburo since 1985 pale by comparison with internal struggles of the past.

Starting even before Lenin died in January 1924, Stalin and two other founding Bolsheviks—Kamenev and Zinoviev—banded together to prevent Trotsky from taking over the leadership in the post-Lenin period. Through his hold on the Secretariat, Stalin began replacing Trotsky's supporters with his own.

Once he had stopped Trotsky, however, Stalin turned on Kamenev and Zinoviev themselves, joining forces with Nikolay Bukharin, Aleksey Rykhov, and Mikhail Tomskiy to form a new majority. In turn, Kamenev, Zinoviev, and Trotsky were all ousted from the Politburo.

Stalin was not finished. Having removed the members of the so-called "Left Opposition," Stalin moved against Bukharin, Tomskiy, and Rykhov on grounds that they were "Right Deviationists." All were threatened with expulsion

od.

Only two—Lenin himself and a lesser figure—died in their beds. The other twelve—all of them important figures in the Revolution—met grisly ends in Stalin's purges. Some, in despair, died by their own hands.

The roll of the dead:

- Sergey M. Kirov, murdered 1934.
- Lev B. Kamenev, executed 1936.
- Grigoriy Zinoviev, executed 1936.
- Mikhail P. Tomskiy, suicide 1936.
- Grigoriy K. Ordzhonikidze, suicide 1937.
- Nikolai N. Krestinskiy, executed 1938.
- Aleksey I. Rykhov, executed 1938.
- Nikolay I. Bukharin, executed 1938.
- Yan E. Rudzutak, executed 1938.
- Stanislav V. Kosior, executed 1938.
- Vlas Chubar, executed 1939.
- Leon D. Trotsky, murdered 1940.

After the war, Stalin once again turned on those closest to him. According to Khrushchev, Stalin "had plans to finish off the old members of the Politburo." Andrey A. Andreyev was ousted. Klimentiy Voroshilov was accused of being a British spy and forbidden to attend Politburo meetings. Vyacheslav Molotov and Anastas Mikoyan were under suspicion. Only the death of Stalin himself, in March 1953, prevented yet another bloody purge.

Familiar, Intricate Maneuverings

In 1957, Khrushchev, too, faced major opposition from what became known as the "anti-Party group," composed of Molotov, Georgiy Malenkov, Lazar Kaganovich, and Maksim Saburov. Khrushchev, challenged in the Politburo (at that time, it was called the Presidium),

turned to the Central Committee for support. Marshal Georgiy Zhukov, Defense Minister, dispatched military aircraft to bring Khrushchev supporters to Moscow for a show-down vote. When the vote was tallied at the Central Committee plenum, Khrushchev had defeated his opponents.

Khrushchev rewarded Zhukov by elevating him from candidate status to full membership in the Politburo. Ironically, Zhukov was ousted within four months for manifesting "Napoleonic tendencies." Not until 1973, sixteen years later, would any Defense Minister reach the ranks of the Politburo. This, however, did not stop Politburo members from approving a huge buildup of nuclear and conventional weapons.

In the early 1960s, Khrushchev's heir apparent, Frol Kozlov, threatened to unseat him prematurely. Khrushchev decided to stay on. Kozlov was thwarted and eventually hospitalized with a heart attack. Five months later, Khrushchev was ousted, accused by others on the Politburo of "hare-brained scheming" and "willfulness." Leonid Brezhnev, Aleksey Kosygin, and Nikolay Podgornyy took over the reins of power.

If persistent rumors are to be believed, Brezhnev survived a number of attempts to remove him during his eighteen-year career as Soviet General Secretary in the Kremlin. Always successful in turning the plotters aside, Brezhnev in the end died of natural causes in his dacha.

Five of the Old Bolsheviks who had served on the Politburo in the days of Lenin and Stalin before World War II and had managed to survive Stalin's purges lived on into the 1960s, 1970s, and even the 1980s. The last of the tribe, Molotov, did not pass away until well into 1987—long enough for him to observe the familiar, intricate maneuverings between yet another Soviet General Secretary and his Politburo. ■



Solomontsev

Shcherbitskiy

from the Politburo if they didn't hew to Stalin's line on policy. Ultimately, they were stripped of their positions.

Another rival, Sergey Kirov, was murdered in 1934—this clearly being the work of Stalin. The putative "search" for Kirov's killer served as a convenient pretext for Stalin to unleash a ferocious purge in which hundreds of thousands of Soviet citizens perished. Included were many current and former members of the Politburo.

Here are the figures.

From the time of the October Revolution in 1917 until the outbreak of war in 1941, a total of twenty-three Communist Party leaders gained membership in the Politburo. Fourteen—nearly two-thirds—died during this same peri-

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TOP LEADERS OF THE SOVIET ARMED FORCES

General of the Army Dmitriy Timofeyevich Yazov. Born 1923. Russian. Minister of Defense since May 1987. Entered service in 1941. From 1942-45, on Volkhov and Leningrad Fronts. From 1956-61 and 1963-65, on the staff of the Leningrad Military District.

In Main Directorate of Cadres, army commander, and again Main Directorate of Cadres 1970-76. First Deputy Commander of Far Eastern Military District 1976-79. Commander, Central Group of Forces (Czechoslovakia) 1979-80. Central Asian Military District 1980-84. Far Eastern Military District 1984-87. Deputy Minister of Defense for Cadres January-May 1987. Member of the Central Committee since 1987 (Candidate 1981-87). Deputy of the Supreme Soviet 10th and 11th sessions. Frunze Military Academy (1956) and the Voroshilov Academy of the General Staff (1967).

Marshal of the Soviet Union Sergei Fedorovich Akhromeyev. Born 1923. Russian. First Deputy Minister of Defense and Chief of the General Staff since September 1984. Entered service in 1940. Graduated from naval school, but fought from Stalingrad to Berlin in infantry in World War II. Deputy Chief (1975-79), then First Deputy Chief (1979-84) of the General Staff. Candidate (1981), then Member of the Central Committee since 1983. Deputy of the Supreme Soviet 11th session. Military Academy of Armored Forces (1952). Academy of the General Staff (1967). "Hero of the Soviet Union" (1982). Lenin Prize.

Marshal of the Soviet Union Viktor Georgiyevich Kulikov. Born 1921. Russian. Commander in Chief of United Armed Forces of the Warsaw Pact (since 1977). First Deputy Minister of Defense since 1971. Member of the Central Committee CPSU since 1971. Deputy of the Supreme Soviet 7th through 11th sessions. Entered service in 1939. Commander of the Kiev Military District (1967-69), then Commander in Chief, Soviet Forces Germany (1969-71). Chief of the General Staff (1971-77). Frunze Military Academy (1953). Academy of the General Staff (1959). "Hero of the Soviet Union" (1981). Lenin Prize.

General of the Army Petr Georgiyevich Lushch. Born 1923. Russian. First Deputy Minister of Defense since July 1986. Entered service in 1941. Commanded infantry company during war. Commander Kantemirov Tank Division, army commander. First Deputy Com-

mander in Chief of Soviet Forces Germany (1973-75). Commander of the Volga Military District (1975-77). Central Asian Military District (1977-80). Moscow Military District (1980-85). Commander in Chief, Soviet Forces Germany (1985-86). Member of the Central Committee since 1981. Deputy of the Supreme Soviet 10th and 11th sessions. Maininsk-Tsare Academy (1954). Academy of the General Staff (1966). "Hero of the Soviet Union" (1983).

General of the Army Alekssey Dmitriyevich Litschey. Born 1928. Russian. Chief of the Main Political Directorate since July 1985. Entered service in 1946. Assistant to Chief of Main Political Directorate for Komsomol Work (1962-65) in Moscow Military District (1965-71), then Soviet Forces Germany as First Deputy Chief of Political Directorate. Chief of Political Directorate of Transbaykal Military District (1975-80). Deputy Chief of the Main Political Directorate (1980-82). Chief of Political Directorate, Soviet Forces Germany (1982-85). Member of Central Committee CPSU (1985). Deputy of the Supreme Soviet 11th session. Graduated from Lenin Military-Political Academy (1957). Higher Academic Courses of same (1973).

General of the Army Yuri Pavlovich Maksimov. Born 1924. Russian. Commander in Chief of Strategic Rocket Forces since June 1985 and Deputy Minister of Defense. Joined the Red Army in 1942. Was Division commander (1965), then First Deputy Commander of an army (1969). First Deputy Commander of the Turkmen Military District (1973-76). On special assignment (1976-78). Commander of the Turkmen Military District (1979-84). Commander in Chief of Southern TVD (1984-85). Candidate (1981), then Member of the Central Committee CPSU (1986). Deputy of the Supreme Soviet 10th through 11th sessions. Frunze Military Academy (1950). Academy of the General Staff (1965). "Hero of the Soviet Union" (1982).

General of the Army Yevgeniy Filippovich Ivanovskiy. Born 1918. Belorussian. Commander in Chief of the Ground Forces since February 1985 and Deputy Minister of Defense. Joined the Red Army in 1936. Took part in invasion of Poland (1939), war with Finland (1939-40). Commander of an army (1961-65). First Deputy Commander of the Moscow Military District (1965-68), then Commander (1968-72). Commander in Chief, Soviet Forces Germany (1972-80). Commander of the Belorussian Mil-

itary District (1980-85). Member of Central Committee CPSU since 1971. Deputy of the Supreme Soviet 8th through 11th sessions. Military Academy of Mechanization and Motorization (1941). Academy of the General Staff (1958). "Hero of the Soviet Union" (1985).

General of the Army Leon Mosseyevich Tref'yak. Born 1923. Ukrainian. Commander in Chief of Troops of Air Defense (Voyska PVO) since June 1987 and Deputy Minister of Defense. Entered service in 1939 as cadet. Wounded in action on second Baltic Front. Commander of Belorussian Military District (1967-76). Far Eastern Military District (1976-84). Commander in Chief, Troops of the Far East (1984-86). Inspector General (1986-87). Frunze Military Academy (1949) and Academy of the General Staff (1959). Higher Academic Courses of same (1970). Candidate (1971), then Member of the Central Committee CPSU since 1976. Deputy of the Supreme Soviet 7th through 11th sessions. "Hero of the Soviet Union" (1945). "Hero of Socialist Labor" (1982).

Marshal of Aviation Aleksandr Nikolayevich Yefimov. Born 1923. Russian. Commander in Chief of the Air Forces since December 1984 and Deputy Minister of Defense. Entered service in 1941. Flew 222 sorties in ground attack aircraft. Squadron commander in the 198th Air Attack Regiment of 4th Air Army. First Deputy Commander in Chief of Air Forces (1969-84). Member of the Central Committee CPSU (1986). Deputy of the Supreme Soviet 2d and 9th through 11th sessions. Military Air Academy (1951). Academy of the General Staff (1957). Twice "Hero of the Soviet Union" (1944, 1945). Distinguished Military Pilot USSR (1970). Candidate of Military Sciences (1968).

Admiral of the Fleet Vladimir Nikolayevich Chernav. Born 1928. Russian. Commander in Chief of the Navy since December 1985 and Deputy Minister of Defense. Joined the Navy in 1947. Commanded one of the first atomic submarines (1959). Chief of Staff and First Deputy Commander of the Northern Fleet (1974-77). Commander of the Northern Fleet (1977-81). Chief of the Main Naval Staff and First Deputy Commander in Chief of the Navy (1981-85). Candidate (1981), then Member of the Central Committee CPSU (1986). Deputy of the Supreme Soviet 10th and 11th sessions. Naval Academy (1965). Academy of the General Staff (1969). "Hero of the Soviet Union" (1981).

—BARBET FELL SCOTT

ORGANIZATION OF THE SOVIET ARMED FORCES

The major elements of aerospace power that make up the US Air Force are, in the USSR, spread among three separate services. All combat and principal support functions are headed by serving officers who are also Deputy Ministers of Defense.

THE Soviet Armed Forces are organized in five separate services: Strategic Rocket Forces, Ground Forces, Troops of Air Defense, Air Forces, and Navy, in that order of precedence. Functions performed by the US Air Force are spread across three of the Soviet services.

The five Soviet services do not include Troops of Civil Defense, Troops of the Tyl (rear services), Construction Troops, or other support organizations, all of which are under the Ministry of Defense. In addition to these forces, the Soviet Armed Forces also include the Border Guards, subordinate to the KGB, and the Internal Troops, subordinate to the Ministry of Internal Affairs (MVD).

A word of caution: The Soviets sometimes refer to the Strategic Rocket Forces, Ground Forces, Troops of Air Defense, and Air Forces as the Soviet Army.

The Ministry of Defense and the General Staff provide centralized command and control. Immediately subordinate to the Minister of Defense, who is roughly comparable in authority to the US Secretary of Defense and the Chairman of the JCS combined, are the Chief of the General Staff, who heads a staff similar to that of prewar Germany, and the Commander in Chief of the Warsaw Pact Forces. (See charts on the following two pages.)

The Strategic Rocket Forces, established in 1959, operate all land-based ballistic missiles with ranges greater than 1,000 km—about 1,400 ICBMs and 550 IRBMs and MRBMs. Little is known about the SRF outside the Soviet Union, but it is first among services, with its commander taking precedence over those of the other services, regardless of his actual rank.

The Ground Forces, numerically the largest of the five services, are divided into motorized rifle and tank troops, airborne troops, rocket troops and artillery, and troops of troop air defense. The 210 Ground Forces divisions, with tanks, armored personnel carriers, self-propelled artillery, and personal equipment, are all designed for a CBR environment and are equipped and trained for combat with or without nuclear, chemical, and biological weapons. Ground Forces personnel number more than 1,990,000.

The Troops of Air Defense (Voyska PVO) was formed in 1948 as PVO-Strany. In the early 1980s, air defense aircraft in border regions of the USSR were merged with tactical air units of the Soviet Air Forces. There were also changes in air defense districts. Assets of the troops of air defense of the Ground Forces were transferred to the Troops of Air Defense.

Significant changes in the Troops of Air Defense ap-

pear to be taking place at present, the extent of which are not known. For example, between October 1985 and September 1986, the First Deputy Commander of Troops of PVO was reassigned as Commander, Troops of Air Defense of the Ground Forces. This suggests a return to the structure that had existed in the late 1970s.

The three major components of Troops of Air Defense are approximately 2,250 fighter-interceptors, some 9,000 SAM launchers, and a huge radar network. Two other components—antirocket defense (PRO) and anti-space defense (PKO)—continue to grow in importance. General Secretary Mikhail Gorbachev has acknowledged that a Soviet equivalent to the US's SDI program is in progress.

The Soviet Air Forces reorganization that started several years ago continues in 1988. In border regions, aircraft and helicopters designated as "frontal aviation" are to maintain air superiority and to strike targets in the "operational depth" of an opponent. "Army aviation" is to attack primarily mobile targets at the "tactical depth," providing direct support to Ground Forces units. (It should be noted that "army aviation" in the Soviet Armed Forces is not the same "Army Aviation" in the United States.) Both frontal and army aviation are in the Air Forces of the Military District, which are subordinate to the commanders of the TVDs (Theaters of Military Operation).

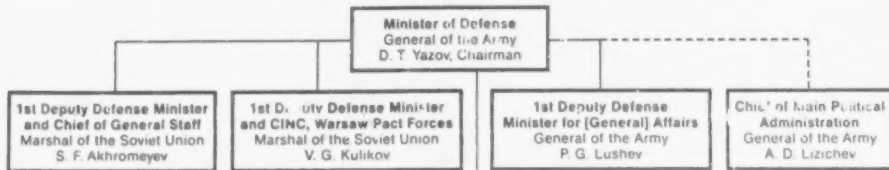
Elsewhere in the Soviet Union, bombers and strike aircraft are combined into five air armies. Included in these air armies are about 165 Bison and Bear bombers, 565 medium-range Blinder, Badger, and Backfire bombers, 450 Fencer strike aircraft, more than 300 tanker, reconnaissance, and ECM aircraft, plus fighter escort aircraft. Combat aircraft are equipped to carry either nuclear or conventional weapons.

Transport Aviation includes some 600 fixed-wing aircraft. The transport aircraft of the Soviet airline, Aeroflot, with its 1,600 medium- and long-range transports, should also be included as a full-time reserve of this component.

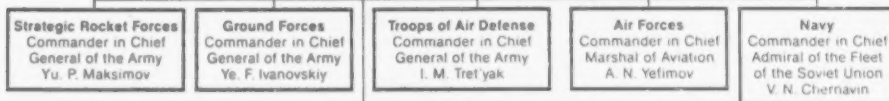
The Soviet Navy is a maritime superpower. With its aircraft carriers of the *Kiev* class, Soviet Naval Aviation has a mix of carrier-based helicopters and V/STOL aircraft. Naval Aviation also has land-based and reconnaissance fighters, a limited transport force, bombers, and surveillance aircraft. The total Naval Aviation force now exceeds 1,600 aircraft.

The accompanying charts, prepared by Harriet Fast Scott and current as of January 1, 1988, show the top members of the USSR's military organization. ■

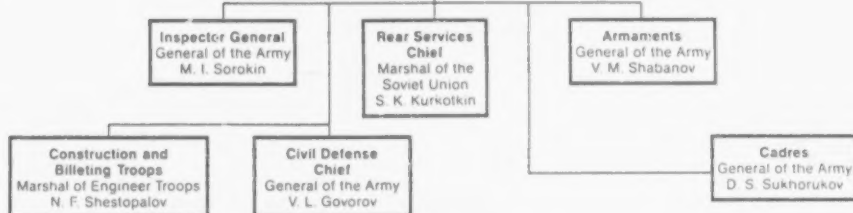
MEMBERS OF THE MAIN MILITARY COUNCIL (KOLLEGIYA) OF THE MINISTRY OF DEFENSE



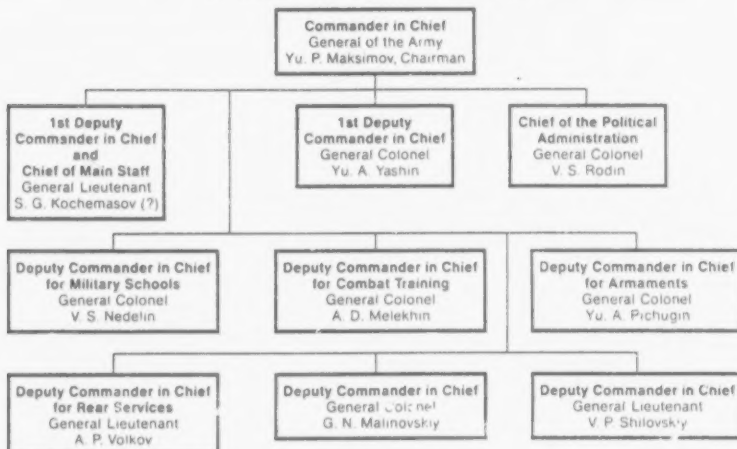
SERVICES OF THE ARMED FORCES (Headed by Deputy Ministers of Defense)



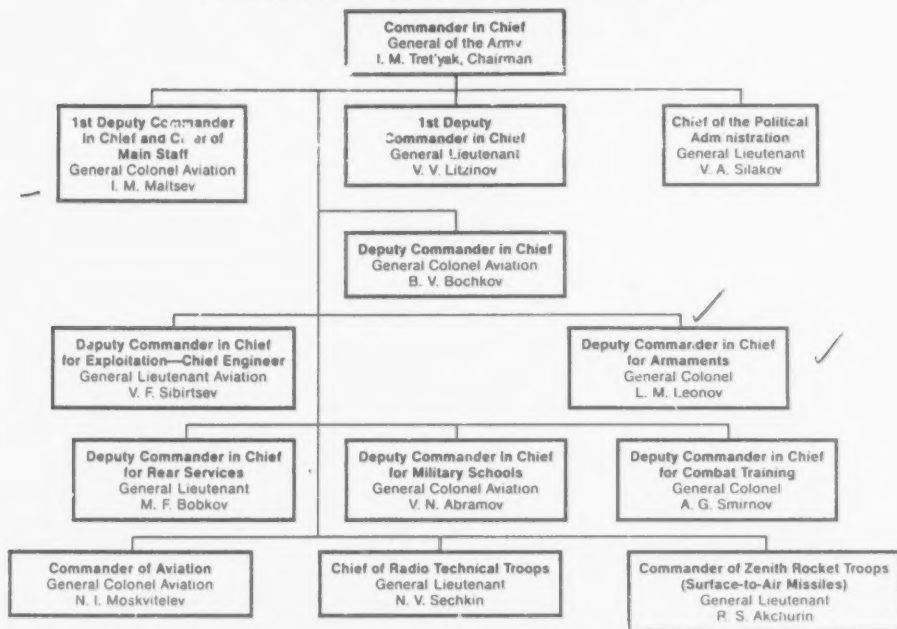
OTHER SECTIONS (Headed by Deputy Ministers of Defense)



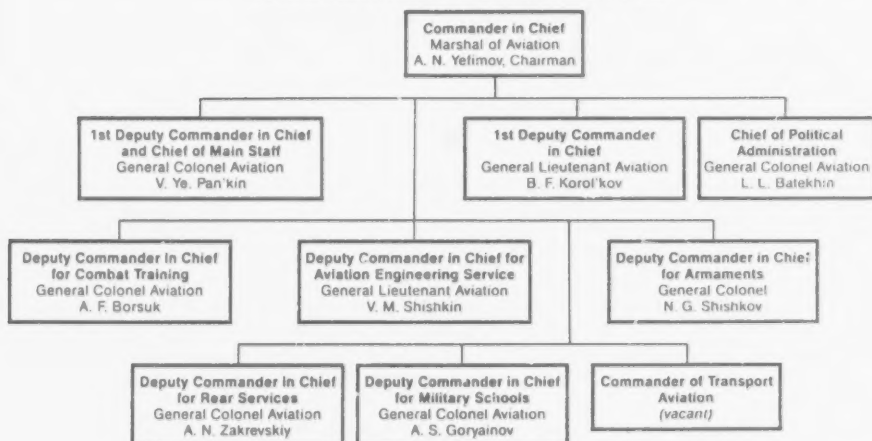
MEMBERS OF THE MILITARY COUNCIL OF COMMAND AND STAFF OF THE STRATEGIC ROCKET FORCES



MEMBERS OF THE MILITARY COUNCIL OF COMMAND AND STAFF OF TROOPS OF AIR DEFENSE



MEMBERS OF THE MILITARY COUNCIL OF COMMAND AND STAFF OF THE AIR FORCES



—CHARTS COMPILED BY HARRIET EAST SCOTT

SENIOR MILITARY LEADERSHIP CHANGES FOR 1987 ★

PROMOTIONS

None reported in 1987.

TRANSFERS

Bugayev, Boris Pavlovich, 64, Chief Marshal of Aviation. Removed as Minister of Civil Aviation, May 4, 1987, for laxity. In 1970, Bugayev became the first postwar head of Aeroflot not from the Soviet Air Forces. The new Minister of Civil Aviation, General Colonel of Aviation A. N. Volkov, headed Soviet Air Forces' Military Transport Aviation from 1980 to 1987.

Koldunov, Aleksandr Ivanovich, 65, Chief Marshal of Aviation. Released as Commander in Chief of Troops of Air Defense following the invasion of Soviet airspace on May 28, 1987, by a West German sports plane piloted by teenager Mathias Rust. Koldunov, one of the top ten Soviet aces of World War II, is twice "Hero of the Soviet Union."

Konstantinov, Anatoliy Ustinovich, 64, Marshal of Aviation. Another casualty of the Rust affair, Konstantinov was the Commander (since 1973) of the Moscow Air Defense District, which did not stop the intruder plane. Konstantinov was reprimanded and relieved of his command.

Sokolov, Sergey Leonidovich, 76, Marshal of the Soviet Union. Minister of Defense since 1984. Abruptly removed from that post in May 1987 as the result of the Red Square plane scandal, although at the time of the incident he was sitting next to Gorbachev at a high-level Warsaw Pact meeting in East Berlin. Fifty-five years on active duty. Now a general inspector in the Ministry of Defense's Group of General Inspectors.

Sorokin, Mikhail Ivanovich, 65, General of the Army. Appointed Inspector General and Deputy Minister of Defense in July 1987. Rumored to have been Commander of Soviet troops in Afghanistan (1981-84) and 1st Deputy Commander in Chief of the Western Theater of Operations (1984-87).

Jukhorukov, Dmitriy Semyonovich, 65, General of the Army. Replaced Yazov as Deputy Minister of Defense for Cadres. He was Commander of Airborne Troops from 1979 to 1987.

Tret'yak, Ivan Moiseyevich, 65, General of the Army. New Commander in Chief of Troops of Air Defense. Had been Inspector General since July 1986. Remains a Deputy Minister of Defense. Tret'yak was Commander of the Far Eastern Military District in September 1983, when a Korean Airlines 747 airliner was shot down in that area after straying into Soviet airspace.

Yazov, Dmitriy Timofeyevich, 64, General of the Army. Appointed Minister of Defense in May 1987 after the Red Square plane affair. Apparently impressed Gorbachev when Commander of the Far Eastern Military District (1984-87). Had already moved to Moscow by early 1987 when he became Deputy Minister of Defense for Cadres. Alternate member of the Politburo since June 1987.

FATAL ACCIDENTS

As the result of a helicopter accident on October 19, 1987, in Hungary, five Soviet generals were killed: General Colonel V. P. **Shutov**, 63, deputy chief of a main directorate of the General Staff; General Lieutenant Yu. I. **Ryabinin**, 53, of the General Staff; General Lieutenant K. N. **Trofimov**, 56, deputy chief of Signal Troops; General Major E. V. **Porfir'yev**, 51, chief of staff, Southern Group of Forces (Hungary); and General Major V. S. **Bardashevskiy**, 49, of the General Staff.

OTHER DEATHS

Belikov, Valeriy Aleksandrovich, 62, General of the Army. Commander in Chief of Soviet Forces in Germany since 1986. Candidate member of the Central Committee CPSU. Died November 1987.

Gareyev, Musa Gaysinovich, 65, retired Colonel, twice "Hero of the Soviet Union." *Shturmovik* (ground attack) pilot, 250 combat sorties. Died October 1987.

Getman, Andrey Lavrent'yevich, 83, General of the Army. First Guards Tank Army commander during the war. Military district commander (1958), then Chairman of DOSAAF from 1964 to 1972. Died April 1987.

Lelyushenko, Dmitriy Danilovich, 86, General of the Army. Fourth Guards Tank Army commander during the war. Military district commander, then Chairman of DOSAAF from 1960 to 1964. Died July 1987.

Lovkov, Mikhail Aleksandrovich, 77, retired General Lieutenant of Aviation. From 1962 to 1966, Chief of the Main Staff of the Strategic Rocket Forces. Died April 1987.

Peredel'skiy, Georgiy Yefimovich, 74, Marshal of Artillery. Commanded Ground Forces' Rocket Troops and Artillery from 1969 to 1983. Died November 1987.

Skripko, Nikolay Semenovich, Marshal of Aviation, on his 85th birthday. Wartime deputy commander of Long-Range Aviation (1942-44), then 18th Air Army. Postwar, first deputy commander of Long-Range Aviation until 1949, then (from 1950 to 1969) commander of air transport aviation, after 1955 called Military Transport Aviation. Died December 1987.

Smirnov, Aleksey Semyonovich, 70, retired Colonel, twice "Hero of the Soviet Union." One of the leading wartime fighter aces. 457 sorties, 72 air battles, 34 enemy planes shot down. Died August 1987.

Sokolovskiy, Yevgeniy Vasil'yevich, General Major, son of Marshal of the Soviet Union V. D. Sokolovskiy, who was the editor of *Military Strategy*. Died August 1987.

Zhilin, Pavel Andreyevich, 74, General Lieutenant, Corresponding Member of the Academy of Sciences, USSR. Since 1966, head of the Institute of Military History of the Ministry of Defense, part of the Academy of Sciences, USSR. For many years Vice President of the International Commission of Military Historians. Died February 1987.

—HARRIET ELLIOTT

ON GUARD OVER THE PEACE AND SECURITY OF THE MOTHERLAND

Materials for speeches for the 70th Anniversary of the Soviet Armed Forces on February 23, 1988, from Communist of the Armed Forces, January 1988. pp. 39-41

The results of the Second World War did not suit international imperialism. Soon after the end of the war, the ruling circles of the USA, having a monopoly on the atomic weapon, began preparations for war against the USSR. They rejected the political and economic cooperation with the Soviet Union that had existed during the joint struggle against fascism. The USA made a sharp turn to confrontation, began an antisocialist "cold war", a race of nuclear and other arms. This arms race continues today.

The adventurist policy of imperialism, bringing mankind the threat of nuclear catastrophe, is opposed by the peaceloving course of the Soviet Union, of all the socialist camp. The Soviet Union has proposed to the leading capitalist countries, first of all the USA, to begin moving to a non-nuclear and non-violent world, they have introduced to the UN a proposal for universal peace and security, with a whole list of other important initiatives. All this marked the beginning of a new stage in international development, the appearance of **new political thinking**.

New thinking is not just a declaration, it is working, beginning to lay the road in world affairs. And the first signs of change are evident. The visit of the General Secretary of the Central Committee of the CPSU Comrade M.S. Gorbachev to the USA, the signing of the agreement on medium-range and operational-tactical missiles is convincing evidence of this. For the first time in history agreement has been reached on eliminating two classes of nuclear weapons. This in essence is the first step on the path to a non-nuclear world.

However the signing of the Soviet-American agreement on INF and operational-tactical missiles evoked a new attack of malice and antisoviet activity in the camp of the forces of militarism and reaction. In NATO staffs measures are being taken for "compensation" of the military possibilities of the bloc, for new "rearmament." Some European countries, and also Japan, in spite of their own national interests, are supporting the aggressive policies of the USA, taking part with them in the arms race.

US imperialism, having put forth the "doctrine of neoglobalism," has declared whole regions of the world zones of their "vital interests," is intruding on the sovereignty of independent states, lighting the fires of military conflicts. In the postwar period the USA has been the initiator or participant in the majority of military conflicts which have taken the lives of ten million people. About 250 times they have used their armed forces against other nations. American imperialists has created an explosive situation in the Persian Gulf, conducted an undeclared war against Afghanistan, directed and organized bandit actions with mercenaries against Nicaragua, Mozambique and Angola.

Taking into account the complexity and tenseness of international circumstances, the policy of social revenge and the "crusade" against socialism and the national-liberation movement being conducted by imperialist reaction, the CPSU and Soviet government are expressing constant concern for strengthening the defense capability of the country, the combat might of the Armed Forces. In doing this, the USSR is not striving for superiority. It upholds equal, mutual and general security.

The USSR and other socialist countries at the meeting of the PKK in May 1987 in Berlin, adopted a historical document "the Military Doctrine of the Warsaw Pact States." Its principal position is a clear example of the **new political thinking** on question of war and peace in the nuclear age, the problems of defense and assuring equal security for all states. The main feature of the doctrine of the Warsaw Pact countries is that it is subordinated to the "task of banning war -- both nuclear and conventional."

We are talking first of all about the fact that the Soviet Union and other socialist countries will never be the first to use nuclear weapons [China? HFS]; will never begin military actions against anyone whatsoever (if they themselves have not been the victim of attack); They do not consider a single people or state as an enemy; they have no territorial pretensions for any member of world society. In the realm of military structuring they proceed from the principle of **reasonable sufficiency**.

One of the most important features of the Warsaw Pact military doctrine is that in it is combined the love of peace of socialist states and their readiness to defend revolutionary gains. "The whole system of defense readiness of the Warsaw Pact is built in such a way," noted Minister of Defense USSR General of the Army D.T. Yazov, "as to stop the aggressor, frustrate his criminal plans, and if, because of the imperialists, aggression against any Pact state becomes a fact, to repulse it decisively."

Our army and navy is equipped with modern weapons and combat equipment which compose the material basis of their combat might. But the Party is taking into account that the USA and other NATO countries are striving to carry out a military-technical spurt -- raise the exactness and strengthen other destructive factors of armaments in order to, on this basis, destroy strategic parity. Therefore the military-technical policy of the CPSU is directed so that the equipment of all services of the Soviet Armed Forces will answer to the most modern scientific-technical achievements.

CLARIFYING LEGAL OBLIGATIONS, FACILITATING VERIFICATION MEASURES,
AND STRENGTHENING INCENTIVES FOR ARMS CONTROL COMPLIANCE:
WHAT CAN THE SENATE DO?

Prepared Statement of
William R. Harris*
Before the Committee on Foreign Relations
United States Senate
February 18, 1988

* Views are those of the witness and do not represent views of The RAND Corporation or its research sponsors; nor the views of the U.S. Arms Control and Disarmament Agency, the Senate Committee on Foreign Relations, or other government entities for which the witness has served as a consultant.

CLARIFYING LEGAL OBLIGATIONS, FACILITATING VERIFICATION MEASURES,
AND STRENGTHENING INCENTIVES FOR ARMS CONTROL COMPLIANCE:
WHAT CAN THE SENATE DO?

Mr. Chairman, Members of the Committee, Ladies and Gentlemen:

The adequacy or efficacy of verification depends not merely upon the availability and reliability of information. It depends upon the clarity of the legal obligations, upon the purposes of verification, and upon the feasibility of effective response in event of noncompliance. Hence, my prepared statement and testimony address four questions:

Is the Intermediate Nuclear Forces Treaty a prudent measure to undertake with a treaty partner that (as will be hereafter illustrated) has not fully abided by its arms control commitments?

What can the Senate do to clarify legal obligations under the INF treaty and future arms control agreements?

What can the Senate do to facilitate treaty verification?

What can the Senate do to develop effective policies to strengthen incentives for treaty compliance?

I testify in my individual capacity alone, as a practitioner in the field of treaty verification. For the Director of ACDA, I reviewed verification capabilities in 1975-77, and recommended a variety of initiatives in a report entitled, Prospects for SALT Verification and Breakout Warning. (This study was furnished to the Senate Intelligence Committee in 1980). As an international lawyer, I have drafted assessments of treaty compliance for the Interagency Group on SALT/START, and for a commission, the General Advisory Committee on Arms Control and Disarmament, tasked by the President to perform a comprehensive review of Soviet compliance with arms control commitments in 1982-84. I have also considered, when requested, various issues of U.S. treaty compliance, and served as a legal adviser in planning to protect sensitive U.S. defense technology while concurrently facilitating on-site inspections under the INF treaty.

I support ratification of the INF treaty, despite an immersion in the record of selective Soviet treaty noncompliance. The INF treaty provides an opportunity for the government of the Soviet Union to demonstrate improved reliability in meeting its treaty commitments. The INF treaty provides an opportunity for the United States to demonstrate that it can, with safeguards resulting from Senate review, once again ratify an arms control treaty signed by its President.

Boswell's Life of Johnson quotes Samuel Johnson's reaction, upon learning that a gentleman who had been very unhappy in marriage had remarried immediately after his wife died. Johnson said, it was "the triumph of hope over experience." The same can be said of the INF treaty. It is not wrong to hope for a better record of compliance with arms control obligations, despite our past experience. We owe that much to our children and grand-children.

But the Senate can improve the prospects for satisfactory performance by assuring, through the process of advice and consent, that legal obligations are clarified and applied equally to the United States and the Soviet Union. The Senate can take steps, through its Intelligence

Committee and appropriations process, to provide adequate support for verification by national technical means, and for the Defense inspection agency. The Senate, together with the House, can revise its legislative standards for reporting on treaty noncompliance. It can encourage timely identification of the subset of treaty violations that constitute "material breaches," that is, acts that defeat a treaty object or purpose. Further, the Congress can amend its reporting requirements so that upon a presidential finding of "material breach", the Congress will consider and act within a designated time limit upon any presidentially-proposed responsive measures. Verification without a realistic expectation of effective response is unlikely to deter a nation that has recurrently violated arms control obligations over the last fifteen years.

The Woods Hole Summer Study report of 1962, prepared for the newly established Arms Control and Disarmament Agency, recognized that verification acts as a deterrent to treaty violations only to the extent that a potential violator is concerned with the risks of exposure. National self-interest, rather than the fear of detection, remains the principal inducement to compliance.

The Woods Hole summer study set a two-part standard for arms control treaty verification. The first part involved verification of compliance or noncompliance, the subject of the annual reports that the Congress requires the President to submit. Verification must elucidate the state of treaty compliance. But verification of noncompliance is insufficient to deter future noncompliance or to respond effectively. The Woods Hole summer study indicated that "verification must facilitate the decision on response."

This has not been done. Verification of specific acts of noncompliance has not led to reports on whether these violations constitute one or more "material breaches" of arms control duties. Do the reported acts defeat an essential object or purpose, and if they do, what are the likely consequences of responsive U.S. actions? This lack of integrative assessment has resulted in a seemingly contradictory policy of pursuing new arms control agreements while publicly reporting U.S. inability to induce full compliance with the obligations that exist.

THE INF TREATY IS COMPATIBLE WITH INITIATIVES TO RESPOND TO PAST SOVIET TREATY VIOLATIONS AND IS A TEST OF SOVIET FIDELITY

How can a person who has become familiar with the mixed record of Soviet performance of its arms control obligations support the ratification of a new arms control treaty even while Soviet violations of treaties-in-force persist?

Three reasons underlie my support for the INF treaty despite an unsatisfactory record of Soviet arms control compliance to date.

First, there is mounting evidence that the western democracies are capable of responding to treaty violations and are committed to strengthening incentives for treaty compliance.

Second, the INF Treaty is no bar to functionally-related responses to those Soviet treaty violations that persist.

Third, there is reason to hope that the Soviet government, under the leadership under Mikhail Gorbachev, will comply with new arms control treaties.

Have the aggrieved parties to arms control noncompliance begun to raise the costs of noncompliance? Those who expect a rapid tit-for-tat response cannot identify any responses at all. But the cycle of response to treaty noncompliance is both longer and more complex than some observers expect.

- o When the Soviet Union breached Khrushchev's commitment to refrain from atmospheric nuclear testing, the United States nuclear test series in 1961-1962 was only part of the response. In 1963 the JCS and the Congress proposed a safeguards program for the nuclear weapons laboratories preceding ratification of the Limited Test Ban Treaty.
- o When some nations (other than the Soviet Union) disregarded obligations under the Nonproliferation Treaty of 1968, the United States imposed limits on security assistance through legislation. And in 1977-78, the London suppliers group extended export controls for nuclear fuel cycle technology on a multilateral basis.
- o When the Soviet Union expanded its biological weapons research and production facilities after signing the Biological Weapons Convention in 1972, the United States did nothing for seven years. But in the aftermath of the explosive release of anthrax at a covert weapons facility in Sverdlovsk in April 1979, the United States renewed a small but vigilant defensive biological agent research program.
- o When the Soviet Union encouraged its allies to use experimental mycotoxin agents in Laos by 1975 and in Kampuchea by 1978, the United States did nothing until it accumulated evidence of some of the active ingredients in "yellow rain." By 1980, the United States was pressing its case in the United Nations, and in 1981 and 1982 the State Department issued public reports and encouraged multilateral verification efforts. In March 1983 there was an apparent cessation of the use of lethal toxins and other lethal chemical agents by Soviet and Soviet-allied forces in Afghanistan, Laos, and Kampuchea.
- o When the Soviet Union disregarded the troop exercise notification duties of the Helsinki Final Act in 1981 and again in 1983, the United States publicized these derelictions in semi-annual, public reports, and involved other nations in verification efforts. The Soviet record of Helsinki Final Act notifications improved in 1984 and thereafter.
- o When the Soviet Union tested surface-to-air missiles and anti-ballistic missile components concurrently, after ratifying the ABM Treaty in 1972, the United States did nothing until the Soviet SA-5 test program may have been near its phaseout in 1974-75. The temporary halt of Soviet air defense and ballistic missile system testing in 1975 came in the aftermath of U.S. complaint in the Standing Consultative Commission. But the Soviets found a legal way to test the inter-netting of SAM and ABM system components by ejecting metallic objects from space satellites from 1976 onwards, and resumed concurrent testing of SAM and ABM equipment in the late 1970s. For the first decade under the ABM treaty it might appear as if the U.S. responses to ABM treaty violations were

trivial. But the President's strategic defense initiative of March 1983 was at least in part a strategic defense response and hedge against Soviet ABM treaty breakout.

These examples illustrate the proposition that the United States and its allies have begun to raise the long term costs of arms control treaty noncompliance. We have not done enough, but we are still adapting to past and ongoing treaty violations and evasions as we must necessarily do. So it is not unreasonable to anticipate that after detection of a material breach, there will be proportionate and effective policy responses.

A second reason I support the INF treaty is that the INF treaty limits are not a significant barrier to ongoing or prospective responses to persisting Soviet violations of other arms control obligations.

In contrast, some configurations of a START treaty might preclude effective response to both ongoing ABM treaty violations (such as the missile tracking radar near Krasnoyarsk) and past violations (such as concurrent SAM and ABM component testing) whose gains may not be erased merely by cessation of illegal practices. The INF treaty does not preclude U.S. and NATO efforts to rectify the balance of conventional forces in Europe or to apply new technologies in this effort. The INF treaty does not bar efforts to offset existing or potential Soviet development of a base for territorial defense of the Soviet Union. The INF treaty does not bar efforts to modernize and render more environmentally safe chemical weapon systems that contribute to deterrence of chemical weapons use.

A third reason I support INF treaty ratification is that there is reason to hope that the present and future leadership of the Soviet Union will realize that arms control compliance is the only prudent course.

Former Secretary of Defense Weinberger testified before this Committee in early February 1988 regarding the Soviet record of treaty violations:

"They have cheated in the past. I think we can expect they will cheat in the future whenever they decide it is in their national interest to do so."

But there is reason to hope, even though we cannot depend upon that hope, that the Soviet leadership in the era of Mikhail Gorbachev will recurrently comprehend that it is no longer in the Soviet national interest to cheat, because even the western democracies will render cheating unattractive.

Let me concede that no twentieth century statesman of any nation has been responsible for more arms control cheating than Leonid Brezhnev. Neither Hitler nor Mussolini came close. But Brezhnev has been dead for more than five years. The extraterritorial venting of radioactivity in violation of the Limited Test Ban Treaty commenced after Khrushchev was ousted from power in the fall of 1964. So did the expansion of the Soviet nuclear weapons production facilities, despite Khrushchev's binding commitment of April 1964. The extended visits of nuclear-armed Soviet submarines to ports in Cuban territory in 1970-1974 occurred on Brezhnev's watch. So did the systematic expansion of the Soviet biological weapons facilities between the signing of the Biological Weapons Convention in 1972 and its ratification in 1975, and thereafter. The fraudulent evasion of the SALT I Interim Agreement resulted in the fourfold increase of the throw-weight of the SS-19 ICBM compared to the "light" SS-11 ICBM. It placed at greater risk of destructive attack the U.S. land-based ICBM forces, and it occurred on Brezhnev's watch. So

did the purposeful violation of the SALT I Protocol limits in 1976-77, concurrent with Soviet plans to retain older missiles within the reserves of the Strategic Rocket Forces. The concurrent testing of air defense missiles and commitments to deploy them with some ABM capabilities also occurred on Brezhnev's watch.

The brazenness of Brezhnev-era treaty violations is illustrated, in particular, by two events.

The first occurred in parallel with the covert build-up of a biological weapons program during the early 1970s. It involved the construction of a huge aircraft carrier, the *Kiev*, at the Black Sea port of Nikolayev South. It was inevitable that this aircraft carrier would violate the second oldest arms control treaty in force, the Montreux Convention of 1936, when it passed through the Turkish straits. In Brezhnev's time, the Soviet Navy said the ship was an "anti-submarine cruiser" and a Soviet Navy lawyer wrote that the ban on aircraft carriers did not apply to the Soviet navy. Neither was true, but Brezhnev did not care if others noticed.

The second act of brazenness involved the commitment to build the large phased array radar that appeared in the 1980s near the city of Krasnoyarsk. With transmitter and receiver larger than a football field, it was inevitable that a radar -- illegal because it was neither on the periphery nor oriented outward -- would be spotted before it became operational. But in the Brezhnev era it was adjudged that the gains through apparent "détente" would outweigh the costs of ultimate verification that the Soviet government was systematically violating or evading arms control duties.

This situation began to change as soon as the Chairman of the KGB, Yuriy Andropov, became General Secretary in the Fall of 1982. The first tangible sign was the apparent cessation of the use of lethal chemical and mycotoxin weapons in the Spring of 1983.

It remains unclear whether the government of the Soviet Union under Mikhail Gorbachev is committed to full compliance with arms control commitments. Some treaty violations have occurred on Gorbachev's watch, but the key political and budgetary decisions may have occurred long before.

Two new-type ICBMs, the rail-mobile SS-24 and the land-mobile SS-25, had been tested before Gorbachev came to power, but the SS-25 was first deployed in 1985 after Gorbachev came to power. So also, the PAWN SHOP and FLAT TWIN radars were moved to Gomel after Gorbachev came to power, but were these decisions that would reach the General Secretary?

The Soviet INF database that has been submitted as part of the treaty, and the supplemental data to be later provided, will be a key barometer of arms control compliance in the Gorbachev era.

Is the Soviet INF database accurate? Or does it mirror the SALT II database of the Brezhnev era, which conveniently omitted SS-16 mobile ICBMs that were probably deployed at Plesetsk, and which averted reporting on missiles stored on transporters that were not "launchers" without the confluence of other pieces of launching equipment?

It is simply not reasonable to expect that a database for an arms control treaty can be verified with high confidence before the treaty has been ratified. This is partly a reflection of the openness of American society. Press reports indicated some of the disagreements regarding U.S. intelligence estimates of Soviet force levels even before the Soviets had to declare their initial database. It is foreseeable that the initial database will almost inevitably be within a tolerable range of uncertainty at the outset. But this is not always so. In the Brezhnev era, the

Warsaw Pact declarations of troop strength during the Mutual Balanced Force Reduction (MBFR) talks in the late 1970s were rejected as untrue virtually from the outset.¹ But this database involved preparations by many nations. With a bilateral US-USSR database exchange, it is generally necessary for those of us who actually do verification work to be patient as we grapple with database declarations.

Verification of compliance or noncompliance takes time. It is simply unrealistic to expect an error-free answer at the time of a treaty's signing. Despite Soviet concealment measures, the United States has been able to verify a higher rate of treaty noncompliance than we ever hoped to find,² and some evidence of selective restoration of treaty compliance that we are pleased to find.³

It is not imprudent to allow hope to triumph over experience so long as that hope is laced with skepticism and preparedness. Verification assessments must not be swept under the rug, even when their findings are disappointing. Mobilization planning measures must be in place throughout the life of a treaty. Procedures should be considered, through legislation to assess and respond to treaty noncompliance, to identify and respond to material breaches on a timely basis. In this regard the executive and legislative branches must establish mutually satisfactory mechanisms to report on material breaches and to implement measures that respond to those breaches that matter.

What specific measures might the Senate consider?

CLARIFYING U.S. OBJECTIVES AND PURPOSES CONSISTENT WITH THE TREATY INSTRUMENTS.

What can the Senate do to clarify legal obligations under the INF treaty and future arms control agreements?

My first suggestion is for the Committee on Foreign Relations to express in its report on the INF treaty its understanding of the objectives and purposes of the treaty.

Some of these objectives and purposes are found in the treaty instruments, including the preamble to the treaty. Others reflect U.S. objects and purposes that are not incompatible with the treaty instruments but which are not clearly expressed by them. It is important to

1 See the article of the U.S. Ambassador to the MBFR talks, Richard F. Staar, "Soviet Deception at MBFR: A Case Study," in Brian D. Dailey and Patrick J. Parker, eds., Soviet Strategic Deception, Lexington, MA: Lexington Books, 1987, pp. 261-272. Warsaw Pact figures for Eastern forces, 980,000 men, excluded 210,000 additional troops included in NATO estimates of Warsaw Pact forces as of 1 January 1981. A 50 percent reduction would have resulted in a Warsaw Pact disparity in excess of 40 percent relative to supposedly "equal" numbers of residual NATO forces. See Table 12-1 at page 263.

2 See Tables 10-1, 10-2, and 10-3 in W. R. Harris, "Soviet Maskirovka and Arms Control Verification," in Brian D. Dailey and Patrick J. Parker, eds., Soviet Strategic Deception, pp. 210-213.

3 *Ibid.*, Table 10-5, "Presidential Reports to Congress Regarding Selective Restoration of Soviet Compliance," p. 215.

clarify the objects and purposes of the treaty so that later efforts to assure U.S. compliance with our obligations do not place NATO at a disadvantage relative to the Warsaw Treaty Organization. The INF treaty was conceived as an element of the dual track: modernization and arms control. The NATO states should not be precluded from basing modern technology, including modern missile systems with range under 500 km, in Western Europe. Since non-nuclear armed ground-launched cruise missiles with the range of 500 to 1500 km were banned to avert verification difficulties and not for some independent purpose, it would appear that there should be no limitation on the augmentation of European-based air-launched cruise missiles (ALCMs) if these are not nuclear armed.

These are merely illustrations. INF was designed in part to restore the balance of intermediate range forces in Europe after the growth of Soviet SS-20 missile deployments. Clarifying the treaty purposes on the U.S. side can avert later, unnecessary unilateral limitations on NATO force deployments that are not expressly limited by the treaty. Conversely, clarity in expressing treaty purposes can provide compliance guidelines and assist verification that neither side engages in a fraudulent evasion -- accomplishing a prohibited end by evading a prohibited means.⁴

Article 31(1) of the Vienna Convention on Treaties sets forth the importance of a clear understanding of a treaty's object and purpose. "A treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose."

It would be helpful for verification purposes for the Senate to clarify the treaty purpose of strengthening confidence between the parties. This imposes duties to facilitate verification; and to observe the duty of good faith incumbent upon all treaty parties. Hence any deliberate falsification or deliberate omission of material fact from the databases of November 1, 1987, or later updates, would constitute a material breach of the treaty.

Article 18 of the Vienna Convention on Treaties sets forth the basic standard under international law for duties between the signing and the ratification of a treaty:

"A state is obligated to refrain from acts which would defeat the object and purpose of a treaty when:

- (a) it has signed the treaty...until it shall have made its intention clear not to become a party to the treaty;"

Unlike the SALT II database which was not incorporated into the treaty, the INF Database is contained within a treaty instrument and relates directly to the treaty duty to facilitate verification by the other party. In 1979 the United States made a mistake when at least two officials proclaimed in the open SALT II hearings that the SALT II database was not an obligatory element of the treaty. This only encouraged the Soviet failure to report the SS-16 launchers that were already located at Plesetsk. The duty of good faith, incumbent upon treaty parties at all times, and the duty to facilitate verification compel a finding that each party has a duty to provide an accurate database at all times, and to correct promptly any inadvertent errors.

⁴ See Senator Dan Quayle, "INF Treaty's Dangerous Vagueness," *The Wall Street Journal*, Feb. 8, 1988, p. 24.

The elimination duties will relate to the database updates that, in accordance with Article IX of the INF Treaty, will be exchanged no later than 30 days after entry into force of the treaty. Nevertheless, both the November 1, 1987 and post-ratification databases will provide the treaty-limited system data that must be verified, and both the 1987 and subsequent databases impose duties of veracity and good faith. Falsification of either database by either party would be a material breach of the duty to facilitate verification. The scope of this duty and the materiality of its breach should be noted in the Committee's Report on the INF Treaty. Verification is, understandably, considerably eased if the database for both parties is at all times truthful, and if inadvertent errors are promptly corrected. Even if it is unrealistic to expect, at the outset, that the U.S. can confirm or reject as false the database reported by the Soviet Union, it is realistic to make sure that the Senate's advice and consent is predicated upon the understanding that a material misrepresentation of the forces in being, left uncorrected, is deemed to be a material breach.

Article IX of the INF Treaty establishes a duty to exchange and update data on a database, and each party, "in signing this Memorandum of Understanding, acknowledges its responsibility for the accuracy of only its data." Article IX sets forth duties to update the database, but in no way diminishes the responsibility to report accurately the initial data.

Further, intentional interference with the rights of inspection under Article XI of the treaty would constitute no less a material breach than a failure to reduce missile forces as required. Article II(1) of the Inspection Protocol sets forth the duty to "facilitate inspection by the other Party".

APPLYING INTERPRETATIVE RESERVATIONS TO BOTH TREATY PARTIES BY QUALIFYING THE RESOLUTION OF RATIFICATION (PER SENATE RULE XXX) RATHER THAN BY A UNILATERAL LIMIT UPON U.S. RIGHTS.

Secretary of State Shultz has acknowledged that official statements made by executive branch witnesses are "authoritative" with respect to interpretation of the INF treaty.⁵

5 In a letter dated February 9, 1988, Secretary of State George P. Shultz advised the Majority Leader, Senator Robert C. Byrd:

"Your letter asks for our agreement on three points. Your first point is that the testimony of all Executive Branch witnesses and any submissions for the hearing record by the Executive Branch on the Treaty can be regarded by the Senate as authoritative. We agree. All INF testimony of Executive Branch witnesses, within their authorized scope, is authoritative. We will inform the relevant Committee of any instance in which a witness' testimony is not authoritative in any respect."

"Your second point is that the meaning of the Treaty as presented to the Senate can be regarded by the Senate as authoritative without the necessity of the Senate's incorporating that testimony and material in its Resolution of Ratification through understandings, reservations, amendments, or other conditions. Again, we agree..."

"Your third point is that a meaning for the Treaty different from that presented to the Senate

Article 32 of the Vienna Convention on the Law of Treaties acknowledges the legitimacy of these statements among the means of supplementary interpretation. But these statements do not override the treaty instruments if these are dispositive, nor should they override the records of the negotiations or subsequent practice of the parties.

It is important that the Senate seek to interpret treaty rights and duties that apply equally to both parties. The record of the Senate can be designed to do so, or it can be designed to interpret only U.S. rights and place restrictions upon them. But this is, over the long run, self-defeating.

A treaty is fundamentally a contract between sovereign nations.⁶ As John Jay put it in The Federalist No. 64, "a treaty is only another name for a bargain".

Under international law, the Soviet Union may consult the negotiating records of a treaty to ascertain rights and duties that are not dispositively treated by the treaty instruments. Secretary of State Rogers indicated during this Committee's hearings on SALT I, "if questions of interpretation arise in the future, we certainly will go back and look at the memoranda because there wasn't a complete transcript kept of the plenary sessions...."

Proposals to prohibit an equal right for the U.S. to consult the negotiating record of a treaty (e.g. S. Res. 167) or to bind the United States but not the Soviet Union to an interpretation that may give greater rights to the Soviet side are contrary to the foreign policy and national security interests of the United States. Moreover, Senators who seek to facilitate treaty verification should bear in mind that interpretations that can bind only the United States will not be dispositive in verifying Soviet treaty compliance.

For nearly two centuries the Senate has assured that there are mutual obligations and rights under a treaty, and that the ratification process not leave the United States with fewer treaty rights and more onerous treaty duties than other treaty parties. The Senate is free to later restrict U.S. rights by inconsistent legislation, but the Senate has heretofore sought to assure mutuality of rights and obligations in the treaty ratification process.

The Continental Congress made sure that the ratification process was not an impediment to an effective foreign policy by delegating negotiating powers to three negotiators, including Benjamin Franklin, "promising in good faith to ratify whatsoever our said commissioners should transact in the premises..."

by the Reagan Administration cannot be adopted without the approval of the Senate. I can assure you that the Reagan Administration will in no way depart from the INF Treaty as we are presenting it to the Senate."

⁶ TWA, Inc. v. Franklin Mint, 466 U.S. 243, 262 (1984); Washington Fishing Vessel Ass'n, 443 U.S. 658, 675 (1979).

⁷ 5 Journal of the Continental Congress 833 (Sep. 30, 1776).

Under the U.S. Constitution, the President and the Senate initially avoided greater restrictions than provided by a treaty through a process of prior consultation. In the period 1790 to 1795 the Senate consulted with the President and gave its advice and consent before a treaty was signed. Thereafter, with rare exceptions, the President signed a treaty and then submitted it for Senate advice and consent before presidential ratification. But the Senate was careful to place any qualifications in the resolution of advice and consent to ratification. This assured that restrictions that might affect the United States would also affect other treaty parties if the qualification were included in the exchange of protocols of ratification.

In the 1806 revision of the Senate rules, the predecessor of Rule XXX - then Rule XXXVII -- provided that the Senate as a whole would, if at all, modify the whole or any part of a treaty. Combining this rule with Rule XXXVI, requiring secrecy for the treaty and its proceedings, the Senate had in place procedural safeguards to assure that an interpretation of a treaty in committee would not result in fewer rights and greater duties for the United States than for other treaty parties. From 1806 to 1929 these two rules -- XXXVI and XXXVII -- assured mutuality of obligations and avoided conflicts between interpretation of Senators in committee and qualification of a treaty by the Senate as a whole.

It was a prior disarmament treaty -- the Kellogg-Briand Peace Pact aimed at the outlawry of war among nations -- that raised the problem later confronted in interpretation of the ABM treaty: should the Senate impose a set of treaty restrictions and interpretations by giving peremptory status to statements before or findings of a Senate Committee. In other words, should the Senate modify its rules and customary practices of two centuries so as to bind the United States alone, or should the Senate assure equal rights and duties among all treaty parties?

The demand for public testimony and a public report on the "multilateral peace pact" of 1928 led to a revision of the Rules affecting the Committee on Foreign Relations, S. Res. 11 of January 1929. Nearly sixty years ago, for the first time, the Senate Foreign Relations Committee decided to write a public report interpreting a treaty and submit that report to the Senate prior to consideration of the resolution of ratification. The distinguished Chairman of the Committee on Foreign Relations, Senator William E. Borah of Idaho, indicated that "the treaty as signed is that which is to guide."⁸ Senator Barkley explained, "...this treaty cannot mean one thing for one nation and another thing for another nation..."⁹

Senator Borah made sure that the report filed with the Senate not create inconsistent restrictions under domestic law than those established by the treaty under international law. The report read:

"This report is made solely for the purpose of putting upon record what your committee understands to be the true interpretation of the treaty, and not in any sense for the purpose or with the design

8 70 Cong. Rec. 1064 (Jan. 3, 1929).

9 70 Cong. Rec. 1455 (Jan. 10, 1929).

of modifying or changing the treaty in any way or effectuating a reservation to the same."¹⁰

Senator William H. King of Utah considered the Report an explanation of the views of the committee members of what the treaty meant. His remarks have a pertinence today as some would propose to leave the United States with fewer treaty rights than its treaty partners by arbitrarily binding the United States to a set of limits that may not bind other parties:

"...Mr. President, I have respect for the members of that [Foreign Relations] committee, but their interpretation of the treaty, I submit, should not be controlling upon Senators. If the treaty is ambiguous and uncertain then it should perhaps be amended, or at any rate, ambiguities should be removed by explanatory reservations. Where an instrument is clear and unambiguous, then interpretations are not needed. The duty rests upon Senators to determine as best they can the meaning of measures presented for their consideration. The responsibility rests upon them for their action...whatever information that bears on the treaty they are entitled to possess. Indeed, it is their duty to secure all available information, and having secured it and acquainted themselves with the treaty, the responsibility rests upon them when they vote upon the question of its ratification."¹¹

If the Senate has a set of concerns about the INF treaty or another treaty, and reduces these to an interpretative reservation that other treaty parties would find reasonable, then two advantages accrue to the United States: first, the United States acquires equal rights and duties relative to the interpreted provisions; and second, the interpretations will assist in verification of the other parties' compliance with their treaty duties.

In the alternative, U.S. unilateral statements -- as we have found with seven of them under SALT I -- have been recurrently disregarded by the Soviet Union without breaching a treaty duty.

A rule of peremptory limitation of U.S. treaty rights could occur if the Senate insists that statements made before it or interpretations by its Committees displace the contract terms between the treaty signatories. A peremptory limitation of U.S. treaty rights by a revised Senate rule -- a seeming shortcut on the path towards interpretative reservations that does not risk Soviet refusal to ratify -- has a variety of long term disadvantages.

The first is that diverging limits under domestic law will at best give the U.S. equal rights under a treaty, and may often give the United States lesser rights.

Under the INF Treaty, for example, one may be concerned that Article II(3) and II(4) do not prohibit retention of multi-part launching systems for either ballistic or cruise

10 70 Cong. Rec. 1730; 5 Hackworth, Digest of International Law 152-153 (1943).

11 70 Cong. Rec. 1721 (Jan. 15, 1929).

missiles. Would it be illegal to convert SS-20 transporter-erector-launchers into ICBM transporters and to associate them with other equipment capable of erecting and launching ICBMs? If an official witness states that this type of conversion is illegal, then by providing peremptory status to these statements, the United States will be restricted from this type of conversion. But if the treaty does not unequivocally bar the Soviets from a similar conversion, only an interpretative reservation that is included in the instruments of ratification can assuredly bind both parties.

A second example of the potential for unequal rights under arms control treaties involves, once again, the ABM treaty of 1972. What would happen if a rule is applied that provides peremptory authority to testimony of executive officials over the actual negotiating record of the treaty instruments?

Consider once again Agreed Statement D, providing with regard to ABM systems or components based on other physical principles that -

"specific limitations on such systems and their components would be subject to discussion in accordance with Article XIII and agreement in accordance with Article XIV of the Treaty."

It is clear from official testimony of U.S. ABM treaty negotiators, including Ambassador Gerard Smith, that U.S. officials assumed that amendment of the treaty would be required before any deployment of a future-type system or component would be allowed. But what happens if the Soviets develop an interceptor-based sensor that is capable of substituting for a radar rather than supplementing it?

Since 1985, a decision year for the 1986-1990 Five Year Plan, senior Soviet defense officials have established a legal framework for the potential legal claim an "other physical principle" ABM component may be deployed in the Article III-permitted ABM system, as a modernization allowed by Article VII, by unilateral amendment of the ABM Treaty through provision of notice in the Standing Consultative Commission.

In particular, the Chief of the General Staff, Marshal Akhromeyev, published in *Pravda* on June 4, 1985 a claim that Agreed Statement D "does not rule out the possibility of the sides acquiring anti-ballistic missile means 'based on other physical principles' but only within the framework of the limitations envisaged by the treaty as a whole, in other words in the single authorized area..."

Later, the Marshal referred to "agreed upon amendments" on October 19, 1985, again in *Pravda*. Defense Minister Sokolov referred to "agreed amendments" in *Pravda* on November 6, 1985.

What would happen if the Soviets were able to demonstrate from the ABM treaty negotiating record that the textual substitutions for Agreed Statement D allowed deployment of a future-type ABM system in the Article III area without U.S. right of veto, but that otherwise agreement of the parties was required?¹² If both sides could use the negotiating record, then the

12 See, for example, the public response of Soviet Major General Boris Surikov to the initial U.S. press report asserting that the Soviet government was deploying in the Moscow ABM system new SH-11 ABM interceptors with on-board sensors based on "other physical principles"

United States might be in the position where it could not initiate a deployment of this character - to keep faith with the 1972 Senate testimony of officials presumed to represent the United States -- but it could assert a responsive right of deployment in event that the Soviets deployed first.

Alternatively, if Senate testimony is of peremptory authority, then even if the Soviets assert a right to deploy an OPP component in the Moscow ABM system, the United States would be left to debate "broad" versus "narrow" development rights while the Soviets augment their deployed defenses of the Moscow region. At some point, this form of treaty interpretation would be unacceptable to all concerned, as inequitable, illogical, and inimical to national security.

The second disadvantage of a peremptory status for testimony before the Senate or interpretations in a Senate report is that, once the Soviet Union's diplomats see a new vehicle to bind the United States without binding the Soviet government, there will be even greater incentives for Soviet negotiating deception than already exist. If U.S. negotiators can be convinced that the treaty instruments accomplish a mutual limit, and they later testify to that effect before the Senate, then by a rule of peremptory validity for testimony before the Senate the United States will be restricted while the Soviet Union may have greater latitude.

This inequity will lead, over time, to a third disadvantage. It is a tendency to avoid reliance upon the treaty as an instrument of diplomatic commitment. In the 18th century most of the international agreements were by treaty, not by executive agreement. In the 20th century the overwhelming majority of international agreements result from executive agreements and not from treaties. Only about one in twenty U.S. international commitments occurs by treaty. This tendency will be aggravated if the treaty process is

that could substitute for ground-based radars, in the *Washington Times* on January 25, 1988. General Surikov's response, "Encroachment Upon the Truth: *Washington Times* Against SH-11," was published in *Moscow News* in English on February 7, 1988, p. 5. General Surikov, a participant in the ABM treaty negotiations, wrote of the reported "development in the Soviet Union of an infrared tracking and homing system for the new SH-11 ground-based interceptor missiles deployed in underground launching silos round the Soviet capital."

General Surikov rejected as false the allegation that "development of such a system is nothing but a violation of the Soviet-American ABM treaty inasmuch as this optical system is a violation of the ban, recorded in the ABM treaty, on the use of systems based on other physical principles."

General Surikov stated: "I participated in the negotiations preparing the way for the ABM Treaty and can say with full responsibility that no design restrictions on permitted components of the ABM system, based on traditional interceptor missiles, have been imposed. The question of whether to use on interceptor missiles command guidance systems with radars applying homing devices or with optical-electronic devices (including those operating in infrared and ultraviolet ranges) was left to both sides to settle. The questions of design were not and could not be the subject of negotiations on the limitation of ABM systems."

General Surikov continued: "...the Soviet Union has the right to mount any guidance technologies on new interceptor missiles without replacing the traditional interceptor missiles with weapons based on other physical principles (for example, lasers)...the modernization and replacement of the ABM systems or their components are allowed by Article VII of the ABM Treaty."

redirected to assure a Senate role in treaty interpretation that takes the form of assuring unequal and inferior rights to the United States.

An example of an executive agreement that could have fared far worse for the United States in treaty form, under S.Res. 167, involves the agreement on occupation zones for Germany, negotiated in the European Advisory Commission in 1944-45. The written records set forth with clarity the zones of occupation and the air corridors to Berlin. But the commitment to assure access over land was based on commitments by the Soviet Ambassador Gusev. Since the documentary records that would have been submitted to the Senate might have been "clear," i.e. access was provided by air, a "restrictive interpretation" of U.S. occupation rights in Germany might have led to the conclusion that access along the autobahn was not provided. If the memorandum quoting Ambassador Gusev were not considered during ratification, some would bar a later claim that the United States was entitled to access along the autobahn. The Berlin blockade of 1948-49 placed this right in temporary jeopardy. Recourse to the negotiating record and the success of the Berlin airlift combined to aid in the ultimate reaffirmation of this important right. Rules to limit U.S. rights through treaty interpretation will limit U.S. incentives to enter into treaties.

If there are ambiguities that are important and that may be resolved by reasonable interpretation, then if such interpretation should be acceptable to both treaty parties, the prudent course is to qualify the resolution of ratification with an interpretative reservation. Another prudent alternative is to set forth the findings of what the Committee understands the object and purpose and treaty clauses to mean, but to allow the executive department the latitude it has had for two centuries to reinterpret, subject to a duty of good faith, treaty obligations and rights in the light of changing circumstances. Given that a treaty is a contract, and that not all contingencies are foreseeable, this is a course the Senate might wish to consider.

Far less sensible, in my judgment, is the concept of proffering advice and consent to ratification upon the condition that the Senate be required to approve any change in an interpretation of treaty rights and duties by a sitting or subsequent President. In the field of trusts and estates, it is common for a person contemplating a will to attempt to impose his personal inclinations upon future generations, even under unforeseeable circumstances. The "rule against perpetuities" bars perpetual restraints upon the use of property as contrary to sound public policy. Do we need a similar rule to protect the treaty process from an unsustainable impairment?

One of the adverse consequences of conditioning advice and consent upon a Senate right of Senate veto over later reinterpretation is that this procedure would tend to encourage postponement of clarification of treaty rights and duties before the treaty is ratified. But this was one of the functions that the Founders considered a valuable aspect of the shared treaty making powers. If the Senate does not clarify the meaning of a treaty before it advises on its ratification, then the Senate has not met its constitutional responsibilities. Senator King's remarks of January 1929, quoted earlier, indicate a sound view: every Senator must seek to understand a treaty, help to make changes or interpretative reservations if necessary, and render a constitutionally based judgment on whether the treaty should be ratified.

Further, it is worth remembering that a treaty is not just a contract between or among nations but also an instrument of diplomacy. Hence, an effort of one Senate to condition and limit a later President's right to interpret the treaty in the light of diplomatic developments is to seek to impose a degree of inflexibility that is simply incompatible with the rapidly changing world in which we live.

There are powerful instrumentalities by which the Congress can affect public policy after a treaty has been ratified. First, the Congress can enact an inconsistent law that supersedes a treaty (without expunging its obligations). Second, the Congress can refuse to provide appropriations, or can provide appropriations with restrictions upon their application. These mechanisms have the advantage of complying with the procedures of the Constitution, including the presentment of legislation for approval or veto by the President.

Where a later Senate has sought to impose its earlier view -- or more realistically, the views of certain Members who asserted they understood the original interpretation of the Senate when it advised and consented to ratification -- the Supreme Court has indicated the irrelevance of the later views of the Senate on the qualifications of a treaty's approval, unless the Congress effectuates its later views through legislation. A later Senate's Resolution seeking to interpret a treaty's meaning, "cannot be regarded as part of the treaty, since it received neither the approval of the President nor the consent of the other contracting power." See *Fourteen Diamonds*, 183 U.S. 176 at 182 (1901).

The time for the Senate to advise on treaty ratification, and to perfect a treaty if that be necessary, is before the treaty's ratification. Through 1795 the Senate sought to aid in perfecting a treaty before it was signed. Between 1795 and the present the Senate has sought to perfect a treaty before it was ratified. If the Senate had paid more attention to the ABM Treaty in its floor debate during 1972, it is entirely possible that the Senate would not be engrossed in whether the United States has rights to develop future-type ABM system components while the Soviet Union has laid the foundation for a claim to deploy future-type ABM components in the Moscow ABM system.

If the Senate follows its existing rule for treaties, Rule XXX, which is based upon two centuries of precedent designed to perfect a treaty before its ratification, then perhaps the Senate will have greater incentive to develop a compliance policy that also pertains to the Soviet Union. That government has been responsible for outright treaty violations of the ABM Treaty, starting with concurrent testing of ballistic missile and air defense components in the spring of 1973 and continuing with other acts through the present day. A focus upon the limitation of U.S. rights, instead of a focus upon the clarification of mutual rights and duties is bound to reduce the value of treaties in modern U.S. diplomacy. If the Senate insists upon a right to veto interpretations of treaties after their ratification -- a function not foreseen by the framers of the Constitution -- this will pose a direct challenge to the prerogatives of the President in executing the laws and to the President's responsibilities as the sole organ of the United States in the execution of foreign policy. Hopefully the first arms limitation treaty of the Reagan Administration will not become a vehicle for an unnecessary constitutional confrontation.

MEASURES TO FACILITATE TREATY VERIFICATION

What can the Senate do to facilitate treaty verification?

Three initiatives, already noted, would aid verification of the INF Treaty:

- o Inclusion in the Report of the Senate Committee on Foreign Relations of a restatement of the objectives and purposes of the treaty, based upon analysis of the treaty instruments, the pertinent records furnished by the Department of State, and the findings of other Committees and testimony of witnesses;

- o Inclusion within the Resolution of Advice and Consent to Ratification of any Interpretative Declarations or Interpretative Reservations, so that upon exchange of the Protocols of Ratification these are binding upon both the Soviet Union and the United States, and so these are available as an aid to compliance assessments of subsequent Soviet conduct;
- o Clarification, through testimony and Committee Report, that the duty of good faith together with the provisional duties of treaty signatories, oblige both parties to provide accurate and complete databases, to correct inadvertent errors promptly, and to update those databases in strict compliance with the terms of the Treaty; and that a falsification or material omission is no less a material breach than a substantive act that defeats a treaty object or purpose.

The preceding suggestions aid in verification by clarifying or strengthening legal duties. These efforts to clarify legal duties only aid verification if they are accompanied by measures to assure reliable and timely monitoring of the indicators of compliance and noncompliance.

How reliable and how timely are the treaty monitoring capabilities of the United States? The Senate Select Committee on Intelligence is considering these issues, and may identify appropriate initiatives to strengthen monitoring capabilities.

Past U.S. efforts to verify compliance and noncompliance illustrate the importance of assuring within the verification system two key elements: first, there must be adequate survey capabilities, using, replacing, and modernizing the technical systems that are available; and second, there must be unexpected means of data collection and analysis. These provide a quality assurance check upon the expected means and serve to detect some of the concealment measures that impede verification.

The importance of adequate survey capabilities may be illustrated by two treaties in force regarding which the United States verified unequivocal noncompliance, the Biological Weapons Convention of 1972, and the ABM Treaty of 1972. It has been officially reported that the Soviet Union expanded its biological weapons facilities and programs between the signing of that convention in April 1972 and the ratification in March 1975, and thereafter. Yet, the United States did not raise the question of compliance until 1979-1980, when a reversal of the covert biological weapons program was far more difficult than it would have been in 1972-1976. Similarly, under the ABM Treaty of 1972 it was illegal to build the long-lead early warning radars except on the periphery and oriented outward in part to provide early warning of "breakout" from the treaty's duties. But when the illegally situated radar was discovered near the city of Krasnoyarsk in the summer of 1983, it had been under construction for at least a couple years. By that time U.S. diplomats were unable to obtain its dismantlement or conversion to some lawful purpose. If verification is to strengthen incentives for compliance, then verification must be timely and reliable at an earlier phase of illegal activity.

Capabilities to collect and analyze information by unexpected means are another essential element of effective verification. The Soviet mobile ICBMs probably deployed at Plesetsk between the signing of SALT II in June 1979 and their removal in 1985 were not newly "discovered" but were freshly analyzed as having the characteristics and capabil-

ities which rendered them illegal. Concealment measures that impede verification will be illegal. The INF Treaty does not compel a showing that they are undertaken for the "deliberate" purpose of impeding verification. But there is a "Catch 22". Concealment measures that deny altogether the verification of compliance or noncompliance may not be demonstrated to be illegal if they are successful. As the former Assistant Director of ACDA for Verification and Analysis, Amrom H. Katz, recurringly stated: we do not know what we have not found. The fact that the President's compliance report of December 1985 asserted the illegal Soviet effort to conceal the association of a missile with its launcher indicates that the United States has some unexpected capabilities to verify, and that these are particularly vital in verifying illegal concealment activities.

Protecting unexpected means of collection and analysis is essential if the United States is to obtain timely and reliable warning of such violations as defeat the object or purpose of an arms control treaty.

To strengthen U.S. verification capabilities, the U.S. Senate can support initiatives to augment those "national technical means" that assure adequate survey capabilities, and capabilities to counter concealment measures, whether these concealment measures are permissible under arms control treaties or not.

Moreover, if the U.S. Senate seeks to strengthen U.S. verification capabilities, it must also attend to the protection of sensitive defense programs, technologies and facilities that may be at greater risk because of the INF treaty inspection provisions. If the United States is to exercise its inspection rights with vigor, it will be necessary to provide support to U.S. and contractor owned or operated facilities to meet the dual objectives of protecting sensitive national security information and facilitating treaty verification of the other treaty party.

Some of the issues raised by foreign inspection of U.S. defense facilities include: criteria for cost-sharing or cost-reimbursement if sensitive facilities must be relocated; procedures to identify non-exportable information of facility operators and of third parties located at inspectable facilities; designation of and execution of administrative responsibilities to protect sensitive programs, technologies, and facilities; and research and development to acquire "technical means of inspection" to aid the inspection process and to protect facilities and objects that might resemble or contain a treaty-limited item. If the inspection procedures of the INF Treaty are to be successful, the United States must strike a balance between verification objectives and information security objectives, and it must organize to achieve this balance in the near future.

It would also be helpful if the Report of the Committee on Foreign Relations were to address the standards to be applied in reporting on compliance and noncompliance. In a case that did not involve the burden of proof in a treaty, the International Court of Justice considered the burden of proof in demonstrating by circumstantial evidence whether an obstruction of maritime navigation was intentional. In considering whether evidence supported the inference that a defendant state was liable for placing mines that impaired the right of "innocent passage", the Court applied a standard that exceeded "clear and convincing evidence," but only to demonstrate the lack of alternative causation. This case, the *Corfu Channel* case¹³ has at times been misapplied to discussions of the arms control agreements that establish civil contractual duties. Nations would not enter into arms control agreements if they were held to

13 ICJ Rept. 1949, 4 at 18.

criminal standards of proof, i.e., "beyond a reasonable doubt." This standard exceeds reasonable verification capabilities, particularly in the face of systematic concealment capabilities.

Early in the course of the Soviet test program for the SS-X-25, a second new type ICBM tested and deployed in disregard of Article IV(9) and IV(10) of the SALT II Treaty, President Reagan reflected on the frustrations of fragmentary intelligence:

"It isn't so much as to whether we believe, it's a case of whether you have the evidence to actually pin down an infraction...we have reason to believe that very possibly they were in violation of the SALT [II] agreement. And we have appealed to them for more information on the weapon they tested. So far, all we can tell you is that we have a very great suspicion but, again, you can't go to court without a case and without the solid evidence; and it's just too difficult and we don't have that."¹⁴

It would be helpful if the Committee's report were to restate the basics so that verification is not delayed or suppressed. A treaty is a contract, a civil contract between or among nations. A treaty's violation is a civil not a criminal delict. A preponderance of the evidence may well suffice, under many circumstances, for an aggrieved party to request another treaty party to demonstrate its compliance after consultation and challenge. There may be important diplomatic considerations to await clear and convincing evidence before publicly reporting a violation of a treaty, or before determining that a violation involves an act or acts that defeat a treaty's purpose, hence a material breach giving rise to responsive rights.¹⁵ But every treaty party must determine whether the risks of delay and the perils of inaction require response at a "preponderance of the evidence" level or at a level of greater confidence.

The price of awaiting unequivocal evidence may be to achieve verification of non-compliance later, with diminished prospects to effectuate a termination of the illegality.

The most disturbing precedent that is personally known to me, involves the delayed challenge regarding apparent Soviet noncompliance with the Biological Weapons Convention of 1972. This treaty entered into force in March 1975, and the effective date of the required destruction of biological warfare stocks was December 26, 1975. To their great credit, the working level analyst at ACDA, Mr. Erlanson, his supervisor, Dr. Eimer, the assistant Director for Verification and Analysis, Dr. Katz, and the ACDA Director, Dr. Iklé, all supported an initiative to establish the validity of the charge that the Soviet government was engaged in an offensive biological warfare program after the treaty took effect. It was years later, after many lives had been lost to attacks with toxin agents in Southeast Asia, before the United States officially raised the question of Soviet compliance with this important Convention.¹⁶ At

14 Remarks of President Reagan, May 17, 1983.

15 See The Vienna Convention on the Law of Treaties, Article 60.

16 See the editorial by Walter F. Hahn, "A National Scandal," in *Strategic Review*, Spring 1980, pp. 9-10: Dr. Hahn assessed the deferral of a compliance challenge as going beyond "honest, if tragic human myopia and misconception: ...if governmental leaders deliberately suppress intelligence that is highly relevant to the security of the nation -- and if that suppression is inspired not by doubts about the intelligence, but rather by political self-interest and protection of a given policy -- then we have the potential of a

Moscow's Institute of the USA and Canada, Professor Henry Trofimenko proclaimed, "It's up to you to prove the charge."¹⁷

Investigators generally lack the right of access, the right to subpoena witnesses and documents, the sanctions for perjury, the rights of cross-examination and impeachment of witnesses. Even with inspection rights under the INF Treaty, the vast majority of Soviet territory and facilities will be off-limits. Civil standards must be applied if verification is to strengthen incentives for compliance or to induce timely and appropriate responses to material breaches. Further, the United States must insist upon appropriate implementation of the burden-shifting duties found in paragraph 5(b) of Article XI of the Treaty and Article VII(14) of the Inspection Protocol. It shall be "the responsibility of the inspected Party" to demonstrate that a shrouded or environmentally protected object is not a treaty-limited item.

national scandal."

Dr. Hahn continued: "Such a scandal seems in the making in the strange case of the Soviet 'Sverdlovsk affair.' All of the facts unearthed thus far have not come to light. But that is the point....the [Biological Weapons] treaty went into effect in March 1975. In June of that year, the Soviet Union solemnly declared that it 'does not possess any' such weapons. Yet, later in 1975 U.S. reconnaissance satellites recorded new construction and expansion by the Soviet Union of facilities that U.S. experts confidently identified as sites for the production or storage of biological warfare agents -- at Zagorsk, some 50 miles north of Moscow, at Omutninsk, 500 miles northeast of the capital, and at Sverdlovsk, 900 miles to the east."

"Some officials of the Ford Administration deemed the evidence sufficiently compelling to urge that the United States challenge the Soviet Union and lodge a formal complaint with the U.N. Security Council. They saw the implications reaching beyond the issue of a Soviet germ warfare potential (frightening though this prospect was in and of itself) into the taller question of Soviet intent to comply with the provisions of arms control agreements, notably SALT. Apparently, however, these initiatives were deflected at the highest levels of the Ford Administration (presumably at least the level of the Secretary of State) precisely on the grounds that the evidence was not totally conclusive, that the Soviets obviously would deny the charges, and that a challenge therefore not only would prove futile, but would unnecessarily roil the waters of détente and arms control."

"...in April 1979...the United States received intelligence of an explosion in the Soviet Union in Sverdlovsk. This was followed by hard evidence, including eyewitness reports, of an epidemic in Sverdlovsk of the deadly (but virtually extinct) anthrax disease which victimized hundreds of Soviet military and civilian personnel.... This time it was the Carter Administration, locked into the last stages of the SALT II negotiations and into the selling of the impending Treaty to the U.S. Senate, that said nothing and did nothing."

"[After the Soviet invasion of Afghanistan and the deferral of the ratification debate on SALT II]...on March 18, 1980...the U.S. Department of State finally issued the first public statement about the Sverdlovsk incident and its meaning. The statement came amidst a swelling flood of information that Soviet forces were using nerve gases...in Afghanistan... [T]he American people would never have heard about the Soviet germ warfare program had it not been for the Soviet invasion of Afghanistan."

17 Quoted in Robert L. Bartley, "The Soviets Give Morality to the Lie," The Wall Street Journal, July 13, 1983, p. 30.

MEASURES TO STRENGTHEN INCENTIVES FOR TREATY COMPLIANCE
AND TO IMPROVE THE PROSPECTS FOR APPROPRIATE RESPONSE
IN EVENT OF MATERIAL BREACH OF ARMS CONTROL TREATIES.

The will to respond to treaty violations cannot be legislated. Though I have suggested that democracies are capable of responding to arms control violations, the historical record indicates that they have not always done so with the promptness, unity of purpose and practical effect that might have reversed treaty breaches. It is not inevitable that the detection of arms control violations be a prelude to improved compliance and improved international relations.

In the 1930's, violations of arms control agreements and the ineffectiveness of sanctions after their detection were a prelude to war. When the League of Nations threatened sanctions against Italy, after its invasion of Ethiopia in 1935, Mussolini assessed the risks -- and we now know that Italy knew from its code-breaking that Great Britain would not intervene -- and ordered use of lethal chemical weapons to hasten victory before pressure for sanctions mounted. Japan covertly exceeded its allotted ship-building tonnage under the Washington Naval Treaty of 1922 and Germany exceeded the limits of the London Naval Treaty of 1936. Detection of violations helped to demonstrate that sanctions that were acceptable were insufficient to restore compliance. The pattern of treaty violations, verification, sanctions, and apathy preceded war that engulfed the world within a matter of years.

Attention to the procedures of verification and compliance initiatives is just a part of the answer if a more effective policy to strengthen incentives for compliance is to take shape. The Senate has the means to influence the procedures now, and perhaps the substantive policies later.

Several procedural initiatives can make a difference:

First, the Congress could change the criteria for reporting Soviet violations of arms control agreements, now reported on an annual basis by separate "violations." At the present time, there is no statutory requirement for integrated assessment, or for identification of responsive measures and the likely consequences of alternative U.S. courses of action. It would be helpful were the Congress to obtain not a report on every separate "violation" but a report on (i) violations; (ii) patterns of apparent compliance; (iii) restorations of compliance, if any; (iv) whether violations constituted one or more "material breaches" of arms control agreements in force; and (v) presidential proposals for response, or reasons for deferral of same.

Second, the Congress could establish -- through joint consultation with the executive branch -- procedures to respond to presidential initiatives in event of "material breach" within a designated period of time, or subject to some previously approved mobilization plan.

Third, the Congress should consider a qualification of its advice and consent to ratification of the INF Treaty so as to assure that the Special Verification Commission (SVC) strengthens incentives for compliance by assuring either party the right to short-notice public (plenary) sessions of the Commission.

Article XIII(1) of the INF Treaty provides for a Special Verification Commission:

"The Parties agree that, if either Party so requests, they shall meet within the framework of the Special Verification Commission to: (a) resolve questions relating to compliance with the obligations assumed; and (b) agree upon such measures as may be necessary to improve the viability and effectiveness of this Treaty."

As signed, the INF Treaty does not guarantee the United States the right to obtain a public session of the Special Verification Commission without Soviet approval. Why does this matter?

It is important that any joint commission charged with considering compliance issues provide both the flexibility to resolve privately any inadvertent violations, and to demonstrate publicly any material breaches that the other party does not intend to cure.

The fact remains that many of the more important precedents for restoration of compliance with arms limitation agreements share two common factors: first, the aggrieved party or parties had to be prepared to accept that the action of concern was a violation of a binding obligation; and second, the aggrieved party or parties had to be prepared to state their case, or much of their case, in public. The removal of offensive weapons from Cuba in October 1962, in the aftermath of a unilateral commitment not to place such weapons in Cuba, followed public findings, even public display of overhead photography by a U.S. President. Similarly, the apparent cessation of the use of lethal chemical or of lethal toxin agents by the Soviet Union and its allies in 1983 followed public charges and public reports. In neither case was there an agreed procedure to utilize a joint commission with exclusively private meetings, such as the Standing Consultative Commission (SCC) that SALT I established.

The Standing Consultative Commission of SALT I and SALT II never resolved some of the more important issues, though it was able to resolve some of the less important ones. Its privacy rule -- Rule VIII -- and its very existence as a commission meant that the United States must take SALT (now just ABM Treaty) issues to the SCC, where the Soviets have a right to bury the conversations under the blanket of Rule VIII privacy. This process can actually reduce the expected costs of violations by delaying responses and by suppressing public access to much of the pertinent official record of noncompliance.

The Special Verification Commission might adopt some form of the procedures of the Allied Control Commissions (ACC) that operated in post-war Germany and Japan. The ACC in Germany, for example, had regularly scheduled plenary sessions, and usually met in executive session preceding each month's plenary session. Misunderstandings that were inadvertent could be rectified in executive session. But when the Soviet government commenced its blockade of Berlin, the public plenary sessions of the Allied Control Commission were important instrumentalities of public diplomacy. They contributed to the termination of the blockade in April 1949.

The measures proposed for your consideration may help to clarify legal obligations, assure that these are equally applied, strengthen verification assessments, and encourage more timely and effective responses to treaty breaches.

If the United States and its allies strengthen their ability to verify arms control agreements and demonstrate their commitment to respond appropriately, there will be insufficient incentive to violate arms control agreements. The Soviet incentive to violate the INF Treaty, taken by itself, does not appear to be substantial. Given that the INF Treaty may be a testbed for a START Treaty, it is possible that breaches of the INF Treaty would be contemplated by some in the Soviet Union for the purpose of assessing violation or evasion pathways under a START Treaty. Hence, whatever the prospects for violation of the INF Treaty, the United States Senate should take all appropriate measures to clarify treaty duties, to support verification and compliance initiatives, and to build confidence among nations.

Washington D.C.
March 18, 1988

The Honorable Senator Claiborne Pell
Chairman
Committee on Foreign Relations
United States Senate
Washington D.C.

Dear Senator Pell:

I greatly appreciated the opportunity to testify before the Committee on Foreign Relations on February 19 to share my concerns and to answer questions on the proposed treaty on Intermediate Nuclear Forces.

I appreciated the opportunity to provide the Committee an extended prepared statement. I also especially appreciated the serious manner in which you addressed your questions to me about the policy process which led to the final USG decisions and summit negotiations that produced the treaty in its current form.

You indicated toward the end of my testimony that you were not sure you could follow the direction of my answers about the policy process. As I indicated, I would have preferred to be able to support the treaty and related US policy. Because of my vocation and my respect for President Reagan and the NSC, it was not easy for me to testify critically about the process and the flaws evident in the final INF/Summit results and to urge major review and changes.

The thrust of my testimony to the Committee was four fold:

-- 1) President Reagan's declared criteria on arms control and US-Soviet relations were undermined by summit fever and are not being met in the proposed INF treaty and in the broader negotiations package emerging for the spring summit.

-- 2) The proposed treaty has basic flaws in its data discrepancies, verification provisions, etc.; it can be fairly readily circumvented by the Soviet Union; and, particularly with "Montebello" modernization essentially unimplemented, it will seriously undercut NATO deterrence while encouraging the European left to press for even further defense cuts and unsound arms control.

-- 3) The proposed INF treaty and its related ratification procedures directly, and injuriously impact on START and to SDI, and this impact must be fully considered in the ratification debate.

-- 4) This May's INF-Summit package involves broader concerns about US-Soviet relations, Soviet aggression abroad and repression at home. Just as the US-Soviet summits require the

Executive Branch's integrated preparation and consideration, so should the INF treaty be considered by the Congress as a component of the broader summit package -- which includes Soviet violations, human rights, regional conflicts, trade, deterrence, SDI, other arms control etc. and -- which requires careful Congressional review as part of a comprehensive and integrated longer-range US strategy on meeting the Soviet challenge. I have now incorporated into an Appendix to my Prepared Statement a number of recommended treaty amendments, reservations and conditions related to these broader concerns.

Concerning the question of how I expressed concerns to the National Security Advisor or to the President, I indicated on the specific INF issues my confidence in the integrity of the NSC process and that I essentially agreed with the body of technical decisions made before I resigned last August 31. However, I also indicated that I had growing concerns since the Reykjavik summit of 1986 about the evident risks of summit fever. These were known, and to some extent shared, by my NSC colleagues.

I believe the evidence is clear that summit fever produced adverse negotiations pressures within the Executive Branch, concessions to the Soviets, unsound political deals with the Congress, and pressures on our NATO allies on a variety of arms control (and non-arms control US-Soviet issues beyond my specific NSC staff responsibilities). Finally, I indicated that after I resigned, last minute concessions were made on the INF treaty (e.g. on data discrepancies, and Article XIV), and in our broader diplomacy, which I would have strongly opposed in principle and on which I would have had to resign.

I am pleased to enclose herewith the following documents for your Committee's official report on the INF Treaty ratification hearings:

1) MY PREPARED STATEMENT -- reformatted and somewhat revised, including a Personal Note and an Appendix with recommended treaty amendments, reservations and conditions to be considered during the ratification process.

2) TRANSCRIPT OF QUESTION AND ANSWER SESSION -- revised and retyped in clean text for the specific pages in which I presented my informal opening remarks or responded to Committee questions.

3) MY LETTER TO THE PRESIDENT -- In response to questions from you concerning communication of my concerns to my superiors, I am providing as part of my testimony the text of the letter I mentioned in my answer to you, which I wrote to President Reagan before the December 7 summit meeting. I understand that my letter did not reach the President either in the rush to the December summit, or subsequently. I believe it remains a valid statement on current policy issues from one who served him in a responsible position with great respect and seriousness for some seven years.

I thank you for your serious consideration of this letter and its enclosures. I would be pleased to discuss these concerns further with you. I am providing a copy to Senator Helms as well.

Sincerely,

A handwritten signature in cursive script, reading "Sven Kraemer".

Sven Kraemer

cc: Senator Jesse Helms

PREPARED STATEMENT OF SVEN F. KRAEMER

A Personal Note

Mr. Chairman and Members of the Committee:

I appreciate this opportunity to meet with you today to discuss the proposed treaty on Intermediate Nuclear Forces (INF). The issues we are discussing are of great consequence for our nation's future.

As a former Senate staff member, and currently assigned to a House of Representatives staff, I have a direct personal appreciation of the vital role of the United States Senate, and of the Congress as a whole, in sharing responsibility with the Executive Branch for our country's defense and foreign policy. Your responsibilities are great.

Let me begin with a personal note to put my testimony into perspective.

It is not at all easy for me to be here today to criticize the proposed INF treaty. But I believe profound concern is warranted by fundamental flaws, illusions and dangers increasingly associated with this treaty and with related US policy on arms control and US-Soviet relations. In my brief, informal opening remarks I will be drawing on a substantially more extensive analysis of these issues that I am providing for consideration by you and your Senate colleagues.

At the outset of my testimony, I would like you to understand that I truly wish I could affirm this treaty and be optimistic about our policy and about purported changes in Soviet behavior. I have worked on these issues for a long time, spending many difficult hours wrestling with the serious problems involved. I also know first hand the meaning of war and the importance of deterring it. I spent my early childhood as a British citizen held in Germany during World War II, and later as an NSC staffer I made nine official visits to wartime Vietnam, Laos and Cambodia.

It has been my chosen vocation to work on arms control, foreign policy and defense issues since I entered government service some twenty-five years ago. Much has passed since that time in 1963 when I joined the Kennedy Administration in the Office of the Secretary of Defense.

For nine years from 1967 to 1976 and for nearly seven more years from 1981 until last September, I worked on the National Security Council staff in the White House. At the NSC I served four presidents --Johnson, Nixon, Ford and Reagan. During those sixteen years on the NSC Staff, I served with 10 National Security Advisors (Rostow, Kissinger, Scowcroft, Allen, Clark,

McFarlane, Poindexter, Keel, Carlucci, and Powell). I had two other National Security Advisors as professors before they took on that awesome responsibility (Bundy and Brzezinski). I also served here as a Senate staffer with Senator John Tower for two years in the late 70's. I currently serve as an Associate Staff Member of the Appropriations Committee's Foreign Operations Subcommittee of the House of Representatives and with Congressman Jack Kemp (R-NY).

During my government service I have learned that sound arms control efforts are far more difficult to achieve within and by the US Government than is generally understood outside the Government. In the academies, the churches or the media, it all seems simpler and the solutions more obvious.

I have found that our national government, and particularly our president, must address arms control problems from a perspective which has the prime constitutional obligation "to provide for the common defense." There is the daily reality of defense, deterrence and past history. There is the reality that other nations are sovereign powers, and that some powers are hostile to democracies such as ours and are provoked by our weakness rather than by our strength -- our moral, economic and military strength.

I tend increasingly to observe that democracies do not use arms to launch wars against each other. It is dictatorships, particularly totalitarian dictatorships, that extend their intolerance and their wars against their own people to subversion and war abroad. Ultimately, therefore, the best basis for arms control would be to have the protections and tolerance of democracy throughout the globe. In this respect, the struggle for effective arms control must be directly linked to the struggle for the protection and expansion of freedom.

Because of the various government positions in which I have served, I know that our nation's arms control efforts involve an exceptionally difficult pilgrimage for those officials who seriously set out on this path. This pilgrimage brings important ethical imperatives that set visionary goals that provide what appear to be easy recipe solutions. Like "nuclear freeze" proposals which engendered much fervor in recent years, such recipes would soon lead us into worse situations. The arms control pilgrimage surely involves exceptional complexities and serious dilemmas. High goals, yes, but also high risks.

My long-standing support and personal admiration for President Reagan makes my witness today particularly difficult for me. I wish my words could reach him directly, so that he would know I was speaking in support of his principles, not against him. I have long consciously supported the insights of Ronald Reagan, as governor, candidate and president.

As an NSC staffer in the 1970's I shared Ronald Reagan's and Senator Henry "Scoop" Jackson's deep concerns about our nation's so-called "detente" policies. During President Reagan's 1980 presidential campaign, I served on his Platform Committee staff and had a senior staff responsibility in drafting the foreign policy and arms control sections of the platform on which he ran.

President Reagan's 1980 platform, with which he won a strong national mandate, was for a policy of realism and peace through strength in the cause of freedom. That mandate was overwhelmingly reaffirmed by the American people in the elections of 1984.

When Ronald Reagan became President, I joined his 1980 Defense Department transition team. Shortly after his inauguration, I joined his National Security Council Staff and worked closely with each of his National Security Advisors. For most of the past seven years, until the end of last August, I shared major arms control responsibilities within a small staff group that included public servants of the highest caliber and integrity. As Director of Arms Control I worked on analyses and options for the President and represented the NSC in some ten interagency groups on arms control from early 1981 until last fall.

It was an enormous privilege to serve in the NSC family with this President. I care about the NSC people who work so hard against great bureaucratic odds. I care about President Reagan, whom our countrymen love, more than any other person I have ever served.

Regretably, I have had to come to the conclusion that the INF treaty and its associated current policy framework on arms control and US-Soviet relations endanger America and our allies. We are in a deepening defense and diplomatic crisis. I firmly believe, that the proposed INF treaty and the larger U.S.-Soviet policy framework do not reflect President Reagan's declared objectives. The evidence is becoming clearer every day.

On the other hand I believe I and many other serious people who have expressed concern about the proposed treaty and the broader context of current policies are faithful to the President's proven insights and objectives. I regret that in the last months of his Presidency these insights and objectives are increasingly being pushed aside within the Executive Branch and the Congress. If this trend is not rapidly reversed, I truly fear for our nation's future.

Let me turn now to some of the specific major problems I see in the content and in the policy context of the proposed INF treaty.

THE INF TREATY, SUMMIT FEVER AND THE DEEPENING CRISIS
IN AMERICA'S DEFENSE AND DIPLOMACY

SUMMARY

America and her Free World Allies face a deepening crisis in their defense and in their diplomacy. The crisis is leading to an unfolding tragedy caused by the pressures and illusions of summit fever. Its elements are emerging most clearly in the fundamental flaws and risks evident in the proposed INF treaty and in the framework of future negotiations at the US-Soviet summit to take place in Moscow this May. The tragedy can only be avoided by realism about required changes to the treaty, about the increased threats to our security and freedom, and about the need for a new course.

Profound concerns are raised by the INF treaty and its associated summit package. These concerns include the treaty's data discrepancies and verification problems and its adverse impact on deterrence, future arms control and US-Soviet relations.

The concerns also include possible political bargains during the treaty's ratification process that would delay the early, phased deployment of our Strategic Defense Initiative (SDI) -- our nation's best defense insurance policy. SDI is endangered by Congressional and diplomatic restrictions being imposed on US programs even though the Soviet Union is violating existing treaties, including the Anti-Ballistic Missile (ABM) Treaty.

In theory, the INF treaty stands on its own merits, is effectively verifiable and will result in some four Soviet weapons being dismantled for every US weapon. In theory, the proposed treaty is to bring a zero-zero result for an important class of US and Soviet weapon systems -- the longer- and shorter-range land-based INF systems. In theory, Soviet military capabilities and threats to peace will be reduced and stability will be increased.

In theory, NATO will modernize its remaining nuclear and non-nuclear systems to bring them to the required levels to deter far larger Soviet nuclear, conventional and chemical forces. In theory, the treaty will be helpful to the arms control process and to fostering a more moderate Soviet Union.

In theory, the INF treaty may sound good for arms control and security, and as fulfilling the arms criteria established by President Reagan. The reality, however, is very different.

As reviewed in the following analysis, the result of the INF treaty and its related May summit package, in practice is far more likely to be zero for our own most credible deterrent forces in Europe and a substantial increase in Soviet military

capability and in its political and diplomatic influence vis a vis our NATO allies.

It will be relatively easy under the treaty for the Soviet Union to increase its military capabilities against NATO, covertly or by circumvention, by retargeting extra Soviet strategic missiles which are very similar to the INF systems the Soviets are supposed to dismantle. At the same time, the removal of the US missiles, the aura of a new "Detente II" summitry and the effect of increased Soviet diplomatic and disinformation efforts will weaken NATO deterrence. Pressure will increase against NATO modernization, for unsound arms control agreements and for Europe's denuclearization and neutralization.

This likely result in Europe of the proposed INF treaty, will be to the very significant advantage of the Soviet Union and to the great detriment of NATO deterrence and global stability. In the broader framework of US policy on arms control and US-Soviet relations, the implications and price of the INF treaty will be high, the risks to US and Allied security and freedom great.

The proposed INF treaty and its related negotiations package for the May summit relate directly to strategic arms reductions negotiations (START) and to SDI and have serious adverse consequences for both. In the current steamroller rush toward a START treaty to be readied for the May summit, serious START issues are likely to be brushed aside and the fundamental data and verification problems evident. Yet the flawed INF treaty will be greatly compounded in START.

SDI faces two clear dangers. First, there appears to be a pre-ratification deal between White House and Senate Democrats committing the United States to a "narrow" treaty interpretation which would seriously restrict the US test programs. Second, there is a likely summit package committing the US to a seven to ten year US adherence to the ABM Treaty. In view of Soviet violations of the ABM Treaty, such US commitments would be unilateral while they would paralyse the accelerated, phased deployment of our nation's best defense insurance policy -- SDI.

We would thus be severely constraining and delaying early deployment of our own strategic defenses even though the ABM treaty has been broken by Soviet violations and even though there is increasing evidence of the Soviet Union's acceleration of its strategic defense program across a broad spectrum of deployment options leading to a full breakout from the ABM Treaty.

The INF-Summit package that is currently emerging rewards Soviet violations of existing treaties with unsound arms control, and unsound political and negotiations bargains on SDI. In addition, we can anticipate the INF Summit to cause the US to downplay Soviet human rights abuses and Soviet international aggression

and to increase official US encouragement of a generous flow of new commercial credits and advanced technology to the Soviet Union.

Administration and Congressional proponents of the INF treaty urge an early vote on the merits of the INF treaty alone. They not only dismiss the treaty's fundamental flaws as serious, but also insist that ratification not be linked to consideration of any of the broader policy issues above. Yet the treaty's supporters also praise the INF treaty as a first step in a series of US-Soviet agreements to be inaugurated at the next summit.

In the national debate on the proposed INF treaty it is now clearly necessary for the treaty's supporters and critics alike to consider the treaty as a component of a far broader negotiations package emerging for the Moscow summit this May.

It is essential that the proposed treaty be evaluated in direct connection with its broader summit context to include realistic assessments of militant Soviet behavior and future US-Soviet relations. The treaty and all other aspects of the May summit, must be evaluated not only in terms of their own merits and flaws, but also in terms of their broader military and diplomatic impact and in terms of the national requirement for an integrated longer-term strategy for dealing with the continuing Soviet challenge.

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THE INF TREATY, SUMMIT FEVER, AND AMERICA'S DEEPENING CRISIS
IN DEFENSE AND DIPLOMACY

I - SUMMIT FEVER AND RATIONALES FOR RUSHING TO PRAISE AND
RATIFY THE INF TREATY

The INF treaty has been caught in the rush of summit fever. So, increasingly have virtually all other important aspects of our defense, our diplomacy, and our security. In the last months of the Reagan presidency, it is a high risk fever burning with increasing intensity as our government prepares for the US-Soviet summit meeting in Moscow this May.

The rush to praise and rapidly to ratify the INF treaty is on. As serious issues are being brushed aside by treaty supporters, it is useful to look at why this is happening and to review some of the major rationales encountered among the treaty's advocates. Supporters' rationales include the following:

-- 1. Leap of Faith. Some proponents praised the treaty and urged its rapid ratification without change even before the treaty's specific details gradually became.

-- It is surely a very risky leap of faith to vouch for a major new national security contract before its important details are known, particularly if previous contracts with the Soviet Union have been broken by the Soviets. But then, as is spelled out below, a major leap of faith is also involved in supporting the treaty even after its details and implications are known.

-- 2. It Is (Supposedly) Congruent With President Reagan's Arms Control Criteria. Some proponents, even after discovering, or hearing others express, significant concerns about the treaty, still urge its rapid ratification as is because they believe it accurately reflects President Reagan's declared arms control objectives.

-- Such faith is simply not borne out by the facts on such issues as compliance, verification, deterrence and linkage with other aspects of the US-Soviet relationship and Soviet behavior.

-- 3. Soviet Concessions and Changes? Some believe that the treaty marks Soviet concessions reflecting a fundamental shift toward a more benign mode in Soviet arms control, military, and political objectives. For example, they view as decisive precedents the Soviet Union's agreement, in principle, to deep asymmetrical force reductions and to on-site inspections.

-- Those who divine fundamental Soviet policy changes, hope that the Soviet Union will now, with this INF treaty, somehow change its historical pattern of negotiation deceptions and treaty violations. They place their trust in new Soviet words and

overlook the proposed treaty's basic flaws and the Soviet Union's continuing military buildup and aggression. They assume the proposed asymmetrical force reductions will verifiably take place on the Soviet side without circumvention. They also tend to see the treaty as a vital and indispensable step in an accelerating process toward other agreements with the Soviet Union.

-- Those who feel this way need first to face up fully to the flaws and adverse impact of the treaty exposed during the ratification hearings. They should help assure that these are corrected. In addition, the Congress should give a full hearing to knowledgeable Soviet exiles, like Vladimir Bukovsky and Natan Sharansky, who can testify to the continuing realities and threats of Soviet power.

-- 4. Allied Reaction. Some argue that treaty rejection, or conditions or safeguards attached by the Congress, would raise profound political concerns for our European Allies. But is not the opposite argument at least equally valid? Should we not first be asking ourselves and our Allies the following relevant questions to safeguard our security?:

o First, is what we are getting really zero-zero, or is it more like zero for us and increased capabilities for the Soviet Union, along with strong new pressures within NATO countries for defense disinvestment, denuclearization and neutralization?

o Second, what are the dangerous consequences for NATO of ratifying and implementing the proposed treaty as is and what changes and conditions, including certain compliance and programmatic safeguards are required to give the treaty a sounder basis and to give us confidence about our future security? Such conditions should include Soviet compliance and safeguards should include NATO agreement on specific modernization programs (e.g. ATBMs, LANCE follow-on), phasing of drawdowns, proportional responses to Soviet non-compliance etc..

o Third, why not take a stronger lead in working energetically in the Congress and in Administration consultations with our Allies to establish the basis for required treaty changes and programmatic safeguards?

-- 4. INF Treaty Critics are Bad for the Arms Control Process and for Peace. Some treaty proponents brush off critiques and assert that those who criticize the treaty don't want to "give peace a chance" and will provoke war.

-- This assertion does not take account of the integrity of either the critics or the criticism. The assertion ignores evident flaws and dangers associated with the treaty and the broader INF-Summit package. It rejects the need to change the treaty and to provide appropriate programmatic safeguards.

II - THE NEED FOR SYSTEMATIC REVIEW AND NATIONAL DEBATE --
SOME FUNDAMENTAL ARMS CONTROL LESSONS AND TREATY PROBLEMS

A. A Systematic Review

It is high time for treaty proponents to reexamine their optimistic rationales and to take a hard-headed look at certain basic realities about the treaty before they firmly commit themselves, the United States and our NATO Allies to the treaty's ratification. They may then recognize the need for major amendments, reservations and safeguards.

If some in the Senate would now rush this necessary review process, they should remember that the text of the treaty was not forwarded to the Congress until January 25, some seven weeks after it had been signed at the December 7 summit, presumably because of ongoing problems in its data and its provisions. Furthermore, the treaty's negotiating record, requested by some in the Congress, was not forwarded until February 12. This record will apparently play an important role for those who requested it and may engender new concerns and debate.

January 25 and February 12 are relatively recent dates. The treaty's full consideration should not suffer from unrealistic deadlines. It must be recognized that the serious questions relating to the treaty -- past Soviet violations, data discrepancies, ineffective verification, weakened deterrence, postponed SDI, delinkage from broader aspects of Soviet behavior, etc. -- simply cannot be wished away by treaty proponents. Rejection, amendments, reservations and safeguards will all have to be carefully considered during the ratification process.

B. "Detente," "Perestroika" and the Growing Soviet Threat--
The Soviet Union: New Styles, Old Threats

A review of both new and old US-Soviet "detente" policies must be part of the current national debate on the INF treaty and May summit. The debate must recognize the critical situation brought about by failed arms control approaches, diplomatic illusions about our principal adversaries, by growing threats, and by the cumulative impact of the declining US defense investment, which is now in its fourth year.

One's view of the INF treaty and its wider policy context is significantly affected by how one views the Soviet Union. It is apparent that treaty proponents hoping for fundamental Soviet change appear ready to take major risks with US and Allied security.

In contrast, most critics of the INF treaty believe that, far from moderating Soviet behavior, the INF treaty is likely to be exploited militarily and politically by the Soviet Union. They

tend to view the major foreign threats to the United States and her allies as deriving principally from the Soviet Union. They see the Soviet Union as fundamentally remaining what it has been for 70 years -- since its first leaders overthrew the Social Democratic government that had replaced the Russian czars.

In fact, the evidence of Soviet actions demonstrates that the Soviet Union remains a revolutionary and expansionist totalitarian regime. As in the past, it is ruled repressively by a hierarchical party holding a monopoly of power and privilege. The Communist Party and the Soviet Union remain bunkered behind their Berlin Walls and Iron Curtains determined to expand their power globally so long as any democracies remain outside their total control.

Today, new Soviet leaders are using a new vocabulary of "glasnost" and "perestroika." They claim new "openness" and "restructuring." Such Soviet words, a more adroit Soviet public diplomacy and an intensive Soviet disinformation effort have proved seductive in the democratic west even though basic Soviet realities remain fundamentally unchanged.

Reformist Soviet words notwithstanding, the leaders of the Communist Party of the Soviet Union have not yielded their party's monopoly powers. They have not permitted free speech, free elections and free worship. They have not torn down their walls of political apartheid, or closed down their gulag. They have not reversed their military buildup, let their allies be independent, or pulled their troops and those of their militant allies out of Aghanistan, Angola, Central America and Southeast Asia. Though the Gorbachev Doctrine may not sound like the Brezhnev Doctrine, it is essentially the same.

The new Soviet leaders have brought new illusions and dangers as the self-deceptive temptation persists throughout the Western democracies to ignore the realities and lessons of past and present Soviet behavior. Consideration of the current INF treaty proposals must be informed by the bitter experience of the 70's "Detente I" period. This should make us extremely cautious about the risks of forgetting about the lessons of Detente I and jumping helter-skelter into a new one-way "Detente II."

III - THE BITTER LESSONS OF 1970's "DETENTE" -- LESSONS NOT LEARNED

In an earlier period of supposed Soviet reform and US-Soviet detente, during the 1970's, the United States placed much faith in Soviet declarations, in unilateral US restraint and in a series of US-Soviet agreements on arms control, trade, exchanges and human rights.

A. Agreements Made and Broken

The "detente" arms control agreements included SALT I and the ABM Treaty of 1972, the Biological Weapons Convention of 1972, the Threshold Test Ban Treaty of 1974, the Peaceful Nuclear Explosions Treaty of 1976, and the SALT II Treaty of 1979. In addition, the Helsinki Final Act of 1975 included human rights and confidence building measures (CBMs) to reduce the risks of war.

Each of these international agreements was fully complied with by the United States and each was violated by the Soviet Union. The arms control treaties had serious verification problems and asymmetrical adverse impacts on US security. The Helsinki Accords were violated and the Helsinki Monitors arrested throughout the Soviet Block. The Accords' confidence-building-measures were violated in a large-scale Soviet military exercise directed against Poland.

The two strategic arms limitation agreements (SALT I and SALT II) incorporated a strange form of supposed "arms control." They included serious verification problems and legitimized major US-Soviet inequities and large increases in the number of Soviet strategic ballistic missile warheads. The ABM treaty also involved major ambiguities, problems and risks.

o The SALT I "Interim" Agreement of 1972 (an Executive Agreement, not a treaty) was scheduled to expire in 1977. It was highly unequal in its designated weapons ceilings, permitted substantial growth and gave the Soviets major advantages. The agreement was accompanied by the Jackson Amendment and by Joint Chiefs of Staff testimony requesting future arms control equalities and robust ongoing US defense modernization and research programs as safeguards. However, the concerns expressed in the Amendment and by the JCS were left essentially unmet even as the Soviet Union cynically exploited the SALT I Agreement throughout the 1970's.

o The proposed SALT II Treaty of 1979 was described by the Senate Armed Services Committee as "unequal in favor of the Soviet Union," and as "not in the national security interests of the United States of America." It was headed for substantial amendments or outright defeat and was finally scuttled by

President Carter, without being ratified, following the Soviet invasion of Afghanistan in December 1979.

o The ABM Treaty of 1972 involved numerous ambiguities and held the United States in a deterrent posture of exclusive reliance on MAD (Mutual Assured Destruction). It led to a substantial reduction in US research and development programs on strategic defense, even as the Soviet Union increased its own efforts.

-- These flawed and violated agreements were permitted to stand for years. Although the SALT I Agreement had expired in 1977 and was violated by the Soviets, the United States did not put SALT I behind us until 1986. Similarly, the SALT II Treaty, though unratified and violated by the Soviets in its core provisions, was also not put behind us until 1986, some months after the December 31, 1987 date when it was scheduled to expire had it been ratified.

-- Surprisingly, some members of Congress still urge unilateral US adherence to the SALT I and SALT II agreements. And to this day the US continues to adhere unilaterally to the ABM Treaty and to argue about "broad" or "narrow" interpretations of the treaty as if the treaty had not long ago been broken by Soviet violations.

-- It is time to assure unequivocally that the failed arms control approaches of the 1970's are rejected as precedents for the INF treaty. Historically, unsound arms control agreements have assumed a life of their own in restricting US programs--notwithstanding lack of equality, lack of ratification and the evidence of Soviet violations. Because of this reality, the proposed INF treaty must be rejected as is, or its flaws corrected and programmatic safeguards confirmed by law, before the treaty is ratified and the US begins to comply with any of its provisions.

B. US Defense Cut-Backs, Retrenchment and Credits; Soviet Military Build-Up and Aggression

Significant experiences and lessons of the 1970's "Detente 1" period include the following:

-- 1. US Military Drawdowns. During the 1970's the United States greatly cut back its defense programs. In the strategic area, the US: canceled the B-1 strategic bomber; delayed the MX ICBM, the D-5 "Trident" SLBM, and strategic cruise missile production; terminated MX ICBM production; put our strategic defense research on the back burner and closed down our ABM facilities at Grand Forks AFB, N.D.. While the Soviets continued their buildup, the US unilaterally reduced the number of its nuclear weapons by

about one-third and reduced its nuclear megatonnage by three-fourths.

-- 2. US Retrenchment & US Credits. While reducing its defenses the US also retrenched abroad. This included the withdrawal of all US combat forces from South Vietnam in 1973 and the surrender in 1975 of our allies there and in Cambodia and Laos to North Vietnam's Soviet-supplied divisions, which crudely broke the Armistice Accords the North Vietnamese had signed and the Soviets had guaranteed two years earlier.

-- During the "detente" period the US rejected linkage with Soviet military aggression or human rights abuses (with Administrations opposed to the Jackson-Vannick Amendment) and the US provided generous credits and advanced technology to the Soviets. We thereby underpinned the Soviet military-industrial complex and bailed out the backward Soviet economy, while undercutting the Soviet Union's incentives for moderation or for undertaking fundamental economic and political reforms. Caught by the same illusory self-deception, our allies succumbed to similar policies.

-- 3. "Detente" Critics. In the 1970's, as now, there were those like Senator Henry "Scoop" Jackson and Ronald Reagan who sounded Churchillian alarms about the continued totalitarian challenge and who proposed more realistic policies toward the Soviet Union. Such critics were denounced, as similar voices are today. They were said to be opposed to peace, inappropriately to link diverse aspects of Soviet behavior and US-Soviet relations, and (in President Carter's phrase) to have "an inordinate fear of Communism."

-- 4. Soviet Build-up and Expansionism. The historical facts at that time clearly contradicted official optimism and backed the critics of "Detente I." In sharp contrast with US restraint during the 70's "detente" period, the Soviet Union pocketed America's misplaced trust and stepped up its arms buildup on an unprecedented scale. The Soviets deployed a vast array of new weapons systems as we reduced or postponed major US programs. At the same time, the Soviet Union violated its major international obligations on arms control, international behavior and human rights.

-- During the "detente" period, the Soviet leaders were far from practicing "peaceful coexistence" and "negotiation, not confrontation," as they had promised in the US-Soviet "Moscow Declaration" in 1972. Instead, they their Block's militant allies to go on the attack, waging war with tens of thousands of invasion troops in South Vietnam, Cambodia and Laos (1975), Angola (1975) and Ethiopia (1976). In the Middle East, the Soviets egged on their allies to attack Israel, most notably during the Yom Kippur War of 1973, and to attack US interests and

diplomats in Iran in 1979. Afghanistan was invaded by Soviet divisions in 1979. Soviet-directed subversion was stepped up in Central and South America. During the "detente" decade, Soviet-supported terrorist efforts and disinformation campaigns notably increased throughout the world.

-- Within their own Block, the Soviets pressured their Polish allies not to undertake major reforms desired by the Polish people. Practicing no moderation in their imperial ambitions and activities abroad, the Soviet leaders violated the international human rights standards of the Helsinki Final Act and made no fundamental reforms with regard to their repressive totalitarian system at home or within their Block.

-- In the face of the reality that 1970's "detente" was a unilateral hope, the West's "detente" illusions persisted and its vulnerabilities increased with each passing year.

IV - REAGAN REALISM AND PEACE THROUGH STRENGTH IN THE CAUSE
OF FREEDOM -- A FOCUS ON THE REAGAN ARMS CONTROL CRITERIA

Today we should remember that until the presidency of Ronald Reagan, most in the Executive Branch and in the Congress, as well as most of our democratic Allies, simply refused to recognize the truth about this abysmal Soviet "detente" record even as the Soviet Union continued its aggressive behavior and as the danger to our security and our freedoms increased.

Until President Reagan's leadership brought a dramatic change, most senior US officials in the Carter, Ford and Nixon administrations, with very rare exceptions, fell prey to self-deceptive illusions of the 1970's "detente." Thus, they opposed sound arms control standards; neglected requisite US defense modernization, including strategic defense; rejected efforts to resist Soviet aggression and support freedom fighters abroad; and downplayed the need for stepping up broadcasts and other efforts to reach out to those in the Soviet Block and throughout the world yearning for peace with freedom.

One of the clearest changes in policy from his predecessors occurred early in President Reagan's first Administration in the area of US-Soviet relations and arms control. Those who today claim that the proposed INF treaty and the overall framework of current US policy on arms control and US-Soviet relations conform with those declared Reagan policies, need to refresh their memory about his 1980 campaign and his subsequent policy declarations.

Drawing on numerous official statements, reports and directives, President Reagan's chief arms control objectives and related policy perspectives could be summarized as follows:

-- 1. Arms control is not an end in itself, but should be related directly to US defense and linked to Soviet behavior. It should be undertaken and judged in terms of whether or not it contributes to US and Allied security and global stability. From this perspective, reaching no agreement is better than concluding a bad agreement and the best safeguard for deterring war is a policy of peace through strength.

-- 2. Arms control should not be divorced from the broader aspects of Soviet military and political behavior, including aggression abroad and suppression of human rights at home.

-- 3. Arms control must not legitimize arms buildups, or merely slow the rate of growth, as had the arms "escalation" agreements SALT I and II. Instead, there should be significant reductions. In November 1981 the US proposed deep reductions to zero in Soviet and US INF systems and in May 1982 proposed a 1/3, or more, cut in strategic ballistic missiles and about a 1/2 cut in

their warheads (intended to lead to equitable, effectively verifiable and stabilizing results).

-- 4. Arms reductions must be to equal and stabilizing levels and remaining US forces must be able to carry out their assigned missions of deterrence and defense.

-- 5. Arms control agreements must be "effectively" verifiable in all their provisions. This policy consciously contrasted with prior administrations' views (e.g. the Carter Administration) that "adequate" verification was sufficient if violations could be detected in time to prevent (some undefined) "unacceptable" military risks.

-- 6. To be serious about arms control is to be serious about full Soviet compliance. There was to be no coverup of Soviet violations, as candidate Reagan had charged in his 1980 platform about the Carter Administration. President Reagan's General Advisory Committee on Arms Control and Disarmament, as well as a high level interagency Arms Control Verification Committee were requested by the President early in his Administration to prepare detailed reports to the President, and later to the Congress, describing the extensive pattern of Soviet arms control violations. Full Soviet compliance with all treaty provisions was declared to be a prerequisite for any future arms control agreements.

In sum, when President Reagan's declared arms control objectives and criteria above are applied to the proposed INF treaty currently before the Congress and to the broader summit package, it is demonstrably clear how substantially these have been undermined and pushed aside recently by summit fever and US concessions.

V - THE INF TREATY'S FATAL FLAWS AND DANGERS -- REAGAN REALISM AND ARMS CONTROL OBJECTIVES ABANDONED

INF treaty proponents ask that the treaty be judged and quickly ratified now on its own merits. They are insistent that its consideration not be linked to any broader issues of other arms control negotiations, Soviet behavior and US-Soviet relations.

Proponents claim two chief merits in particular for the treaty: 1) asymmetrical reductions and 2) on-site verification. In theory, these constitute impressive US negotiation accomplishments which mark very significant improvements over the moratoria or small reductions proposed for so many years by the Soviet Union and over the moratoria (whether unilateral or bilateral) proposed by US advocates of a nuclear "freeze."

As discussed below, however, these two most highly touted pillars of the proposed treaty in practice do not pass careful scrutiny and deserve a far less optimistic assessment. In fact, both the reduction and the verification pillars of the INF treaty can be circumvented fairly easily by the Soviet Union and both bring major new risks to us and our Allies. In practice, NATO will lose a unique deterrent capability and sensitive classified information, while the Soviet Union will retain the capability to get back everything it gave at the negotiation table and more.

As reviewed below, the United States would be significantly worse off militarily and politically in Europe with this INF treaty than we are now without it and than we were before NATO's "double track" decision of December 1979. Our best nuclear deterrent in NATO would have been removed, with major new pressures encouraged for rapidly removing even more of our deterrent without having assured corresponding NATO defense modernization programs to meet the Soviet threat. Meanwhile, under the treaty the Soviet Union could readily retain military capabilities equal to or substantially greater than they currently possess.

Set against President Reagan's sound and long-standing arms control criteria described above, the major flaws directly associated with the proposed INF treaty and requiring amendment, reservation and/or programatic safeguard include the following:

A. The Treaty Rewards Soviet Non-compliance.

The proposed INF treaty obliges the US to undertake a new arms control agreement removing its best nuclear deterrent from Europe even though the Soviet Union has failed to comply with existing agreements. Ratification of the INF treaty would repudiate President Reagan's explicit compliance policy, reward Soviet violations, and encourage the Soviets to pick which provisions and which agreements it wishes to honor.

-- The President's Compliance Policy. The treaty repudiates the President's March 10, 1987 unambiguous assurance to the Congress, and signal to the Soviet leaders, that Soviet "compliance with past arms control agreements is an essential prerequisite for future arms control agreements Strict compliance with all provisions of arms control agreements is fundamental, and this Administration will not accept anything less."

-- Unanswered Inquiries. Explicit Congressional inquiries to the Administration on this fundamental policy matter (as in January 1988 correspondence from Congressman Jack Kemp to Secretary of State Shultz) have been left unanswered by US officials even though Members had sought explanations and a reversal of this repudiation of the President's stated compliance policy.

B. The Treaty's Data Discrepancies.

The treaty's data base as provided in the Memorandum of Understanding (MOU) on Data at the December 1987 summit appears to contain major data discrepancies. These include inadequate missile photos (e.g. for the SS-20 and SS-23) and missile and launcher numbers and sites as provided by the Soviets. Such data discrepancies have been publicly outlined in questions from Congressman Jack Kemp to the Secretary of State and in the Senate Foreign Relations Committee's Minority Staff report of January 25, 1988 on the INF Treaty: Does It Decrease--Or Increase--The Danger of Nuclear War?"

Major INF treaty data problems include the following:

-- 1. The INF Treaty's "Backfire Problem." If the US does not resolve the wide range of data problems before treaty ratification, it is inviting massive problems after ratification. Without such resolution, the US cannot have any assurance that we are verifying the treaty's required dismantlements. We would be repeating on a treaty-wide scale the "Backfire Problem" of SALT II in which US negotiators during the Carter Administration accepted as valid Soviet information and claims about the Soviet Backfire Bomber's range and capability which were invalid when we received them and which should have been rejected outright as a fraud.

-- 2. SS-20 and SS-23 Missile Photos. The INF treaty's SS-20 photo was first inappropriately provided at the December 1987 summit as a facsimile copy, was then delivered weeks late and has left continuing major doubts about its accuracy. The Soviets' murky SS-23 photo omitted a "connecting section" and resulted in a US demarche to the Soviets at the very time the Department of State spokesman was inappropriately assuring Congressman Kemp and others who had raised questions about the Soviets' photos, that "we don't have any reason to doubt the authenticity of the SS-20 photograph or any others."

-- 3. Missiles and Launchers. Among the treaty's missile and launcher number questions are the fact that while NATO has long held that there were 441 SS-20 launchers, the Soviets said there were only 405. Similarly, the number of SS-20 missiles, including "non-deployed" missiles may be off by anywhere from 50 to some 300 or 600 or more -- a military very significant number. Other reported data problems include issues involving the SS-23 launchers and missiles and the SS CX 4 ground-launched cruise missile.

-- 4. Unanswered Congressional Inquiries and Official Confusion. Specific data concerns raised by Senators and Congressmen, including Senator Jesse Helms and Congressman Jack Kemp, have not been resolved by the Administration. However, the Department of State has publicly acknowledged data "difficulties" during the rushed December summit negotiations. Its official spokesman admitted on January 6, 1988 that: "we all do know that from day to day we were dealing with different numbers, and we never had a chance in that busy period to figure out why the US always seemed to have different figures."

-- 5. US Estimates: Wide Ranges and Errors. Thus far, the Administration, at least the Department of State, has publicly taken the position that notwithstanding certain data difficulties, it can still "see no information or indication that there was any deception involved by the Soviets" and that "in the end, the overall data provided to us by the Soviets fits within our intelligence community estimates."

-- However such public assertions mask the facts that serious Congressional inquiries about relevant INF data have not been resolved by the Administration and that data disputes reportedly continue within the US intelligence community. Clearly, the range in official US estimates apparently is very great, meaning that our margin of error, and our related uncertainties and verification limitations must be very great as well. The intelligence community's acknowledgements of these wide ranges of uncertainty and error will require careful consideration by the Congress.

- 6. Soviet Deception. Past Soviet negotiation deceptions in the SALT arms control negotiations during the 1970s should make us extremely cautious to rely on any INF data the Soviet Union provides us which we cannot independently verify before we sign on to any agreement. Yet the treaty's data base is to be updated 30 days after the treaty comes into force, i.e. after the US Congress and the US Government have given the treaty their final approval and trust. At that time, we can surely expect a shorter data list with lower numbers from the Soviets, with correspondingly fewer sites and lower data base, for any future US inspections and validation. But by then it will be too late to remedy the situation.

-- 7. The Future is Now. The treaty's data problems cannot be resolved by placing hope in future inspections, as do Administration and Congressional treaty proponents. Promised inspections may be blocked or circumvented by the Soviets and effective inspections may never take place. The evident data problems therefore require resolution and substantial further assessment and further negotiation well before ratification, if any confidence is to be placed in the treaty's data base.

C. The Treaty's Ineffective Verification.

There are at least seven severe limitations to the INF treaty's verification regime which mean that the proposed treaty cannot be effectively verified. The judgement of the proposed treaty's verifiability as being a "4 on a scale of 10," attributed to former Arms Control and Disarmament Agency (ACDA) Director Kenneth Adelman, is probably close to the mark.

Some of the INF treaty's verification problems might be reduced by improving future US intelligence assets. Such an effort should be carefully considered, but it would be an expensive and long term proposition. Such improvements will not help in the near future and, in any case, would still not be able to resolve numerous intractable problems of likely deceptive or covert Soviet practices.

The severe limitations evident in the INF treaty's verification regime include the following:

-- 1. US Estimates. US officials acknowledge that the US does not know accurately through its own intelligence how many spare missiles the Soviets produced, or where and how these might be sited. The reported estimates range widely and have a high margin of error. For Soviet SS-20 missiles produced, for example, the officially acknowledged margin of error is at least 50% beyond the 650 reported by the Soviets in the treaty's data base. This uncertainty involves some 300 and as many as 600 or more SS-20 missiles with 900 to 1,800 or more warheads. (In terms of major military significance, the number of warheads is many times as large as that of the US Pershing II missile force we are to eliminate and far larger than NATO's total programmed INF deployment of 108 Pershing IIs and 464 GLCMs).

-- 2. Data Discrepancies. The data discrepancies described above also relate directly to our inability to monitor the treaty accurately. It becomes impossible to monitor the treaty's provisions effectively if, as noted above, we cannot have certain confidence in the data base provided by the Soviet Union for all treaty-limited items. Yet the Soviet data has differed significantly from our own estimates in important categories and has been provided by a Soviet government which has deceived the United States on data in previous arms control negotiations.

-- 3. No US Suspect Site Challenge Inspections "Anywhere, Anytime" in the Soviet Union and Soviet "Inspectors" in the US. -- The treaty provides on-site inspection rights only for specified categories of treaty-limited systems and facilities for specified times and according to specified procedures. This potentially involves several hundred sites. But the US will be limited in the number and types of inspections per year and we will not be able to inspect "anywhere, anytime" any sites which are not already on the specific and numerically limited list of categories of facilities specified in the Protocol on Inspections and the Memorandum of Understanding on Data.

-- The severe limitation on where, when and what we can actually inspect under the treaty leaves virtually all of the Soviet Union permanently closed to US inspectors. In practice, the US will be forced to rely largely on our intelligence satellites. But the Soviets are adept at camouflage and deception and their country is extremely secretive and several times as large as ours. Furthermore, our satellites have previously missed, at least for long periods of time, such major Soviet military activities as the construction of the giant radar at Krasnoyarsk or the storage of SSCX4 cruise missiles and launchers now said by the Soviets to be at a base in Latvia.

-- It should be noted that while the treaty presumes to be comprehensive about former missile sites, we cannot inspect any former site not listed by the Soviets in the treaty's Memorandum of Understanding. Moreover, there is no indication in the treaty concerning possible inspection of sites in Cuba associated with SS-4 missile deployments at the time of the Kennedy-Khrushchev agreement.

-- The US decision not to insist on "anywhere, anytime" challenge inspections resulted from concerns about greatly intensified and unwarranted intelligence efforts on the part of Soviet "INF inspectors" in the United States who would be seeking sensitive information going well beyond any possible INF concerns. But the proposed treaty will result in at least 200 such Soviet inspectors coming to the United States in any case. Furthermore, serious US concerns about unwarranted Soviet intelligence efforts, a concern compounded by major legal and fiscal limitations on US counterintelligence efforts, do not obviate the fact that by not having "anywhere, anytime" challenge inspections in the treaty, the United States foregoes a vital element in deterring and in protecting itself against Soviet cheating.

-- 4. SS-20/SS-25 Similarities. The close relationship between the INF-banned SS-20 INF missile and the permitted strategic SS-25 ICBM greatly complicates the treaty's verification. The Soviet Union's new mobile strategic missile, the SS-25 ICBM, now being deployed, including at former SS-20 bases, has a first stage essentially identical to and a second stage and launcher

very similar to the supposedly banned SS-20 missile. The verification problems will therefore be severe. We could well face a problem with more serious military consequences than that of SALT II and the question of Soviet possible deployment of operational SS-16 ICBMs, a banned missile very similar to the SS-20's stages.

-- 5. Cruise-Missiles. We cannot accurately gauge cruise missile ranges, which means that the treaty's ban on cruise missiles within certain ranges can be circumvented by Soviet production and testing cruise missiles not overtly below or above, but near, the proscribed range limits. We also cannot accurately gauge the differences, if any, between proscribed land-based cruise missiles and permitted sea- or air-launched cruise missiles, thus leaving a wide path to Soviet production and possible covert deployment of land-based cruise missiles and mass production of the sea- and air-launched systems to provide new INF capabilities.

-- 6. Definitional and Other Problems. Two detailed recent reports on the proposed INF treaty describe a host of specific definitional and other problems which will greatly complicate future monitoring of the treaty's provisions. The first is the aforementioned report on "The Treaty on Intermediate-range Nuclear Weapons: Does it Decrease--or Increase--the Danger of Nuclear War?" prepared by the Minority Staff of the Senate Foreign Relations Committee and circulated by Senator Jesse Helms on January 25, 1988. The second, is an "Article-by-Article Review of the INF Treaty" published by the American Enterprise Institute on February 3, 1988.

-- The provisions of the INF treaty contain numerous definitional ambiguities involving capabilities, launchers, cannisters, shrouding, testing, transit, dismantling, firing to destruction and inspection procedures etc.. These ambiguities can be expected significantly to cloud the INF verification picture in the future, with a very serious carryover effect into the Strategic Arms Reduction Treaty (START) now being rushed to completion for the US-Soviet summit this May.

-- 7. The Special Verification Commission. The poor record of the existing US-Soviet Standing Consultative Commission for the ABM Treaty and SALT I in clarifying such issues and related disputes bodes ill for placing any hopes whatsoever in a similar "Special Verification Commission" to be established under the INF treaty.

D. The Treaty Undercuts NATO Deterrence

As noted above, the proposed INF treaty, though nominally reducing both US and Soviet INF/SRINF missiles to zero, in fact has such serious data discrepancies and verification weaknesses that Soviet deception and circumvention are entirely plausible.

Thus, as the US complies fully with the treaty and goes toward zero, we can have no assurance that the Soviets will fully comply with their part of the bargain any more than they have with the many previous treaties they have broken.

But even if the INF treaty's data base were accurate and trustworthy, verification effective, and full Soviet compliance certain, the treaty would still greatly weaken NATO's deterrence capabilities once our own INF missiles are removed. The reasons include the following:

-- 1. The Loss of Unique Systems. The US would be giving up its most credible deterrent forces, the only US forces deployed in European countries that can rapidly (within 15 minutes for the Pershing II), and with very high confidence, reach targets in Soviet territory from which Soviet attacks can be launched or supported. Our shorter-range systems would destroy chiefly Allied or East European, rather than Soviet territory. Our aircraft are slower and would have to fly into heavily defended air space.

-- 2. Soviet Redundancy and Circumventions. In contrast with the United States, the Soviet Union does not suffer any net loss in rapid delivery capability against European targets.

-- The Soviet Union can readily cover, with its great surplus of strategic missiles, the regional targets previously covered by its INF missiles. The regional role of the Soviet SS-20 missiles can fairly readily be assumed by retargeting the surplus of new Soviet strategic missiles, including the SS-25 ICBM currently being deployed, or by the forthcoming new SS-24 ICBM and the SS-18 follow-on ICBM. The potential INF role of the SS-25 is made even easier by the close similarity between the banned SS-20 and the permitted SS-25.

-- The United States, in contrast, because of its far smaller corresponding prompt hard-target capability against the huge number of Soviet hard targets (including some 1,400 ICBM silos and some 1,500 or more command-and-control bunkers), has no surplus of strategic missiles that might be retargeted to handle regional targets if US INF missiles are removed.

-- 3. Response to Across-the-Board Soviet Deployments. NATO's nuclear forces traditionally are intended to deter a broad spectrum of forces in which the Soviets have substantial numerical advantages. NATO's 1979 decision to deploy Pershing II and GLCM systems was not based solely (as is sometimes inaccurately believed today) on the requirement to help redress the Soviet deployment of the SS-20 INF missile.

-- The new US INF deployments were in part to respond to the triple-warhead mobile SS-20 INF missiles the Soviets began to

deploy in late 1976 at the rate of a missile per week on a base of 600 deployed Soviet SS-4 and SS-5 INF missiles (while the US had zero INF missiles). But the Pershing IIs and GLCMs were also intended to respond to a wide range of other Soviet force deployments as well. These Soviet deployments included nuclear, conventional and chemical forces and new systems such as the Backfire bomber. That new deterrence requirement remains for NATO even if the SS-20 missiles go, but the requirement cannot be equally credibly fulfilled by other NATO systems.

-- 4. Land-Basing, Coupling and Flexible Response. In 1979 NATO decided to deploy its new Pershing II and GLCM INF systems on land, and their role cannot be equaled with sea-based systems, for two major reasons. First, because the Allies, headed by Germany's Socialist Chancellor Helmut Schmidt, considered them a far more visible and direct aspect of US-NATO coupling than sea-based systems. Second, since the launch of a sea-based theater deterrent such as US Polaris missiles assigned regionally to NATO cannot readily be distinguished by the Soviets from a US strategic response, the sea-based systems are not as appropriate for NATO's "flexible response" strategy and not as credible a deterrent as land-based system.

-- These two factors remain true today, as testified to by former NATO Comandant, General Bernard Rogers. As for air-launched systems, these are fired from more vulnerable platforms, are far slower (at least than the Pershings) and must penetrate heavily defended Warsaw Pact air space.

-- 5. The Article XIV Problem and Constraints on UK or French Modernization. The treaty requires in Article XIV that "the Parties shall comply with this Treaty and shall not assume any international obligations or undertakings which would conflict with its provisions." Yet such "undertakings" clearly extend beyond the specific provisions of the treaty. US officials claim that the Soviets no longer claim compensation for French and British (strategic) nuclear systems and they have optimistically asserted that this broad provision will not restrict standard US cooperation with our Allies on non-treaty-limited systems. However, Soviet officials are already complaining about Allied modernization efforts as being against the spirit of the proposed treaty.

-- The Soviets and can be expected to invoke this far-reaching article with telling political effect in the future to evoke support in Western anti-defense circles for their likely interpretation of Article XIV as constraining NATO/UK/French, and even FRG, modernization even though such modernization constraints may not be directly addressed in the INF treaty.

-- 6. NATO Nuclear Modernization, the "Montebello" Problem and Wishful Thinking. Treaty proponents appear to have great confidence that as US INF forces and the German Pershing I shorter-range INF missile disappear, NATO will act programatically to implement its "Montebello Decision" of 1983. They appear optimistic that NATO will finally agree on significant modernization programs for NATO's deterrent forces to include short-range nuclear missiles (e.g. the follow-on to the 88 LANCE short-range missiles deployed in Europe), dual capable aircraft, and nuclear artillery.

-- These and other modern systems such as air- and sea-based cruise missiles have been discussed, as by NATO's Defense Ministers in Monterey, California in November 1987, as vital "compensatory steps" needed after an INF agreement to ensure a credible defense. In addition to nuclear force modernization discussed at Montebello, Monterey and other NATO meetings, modern conventional and chemical forces are also required by NATO to deter the far larger Soviet forces and in the absence of any effective verification or stabilizing reductions scenarios for those types of forces.

-- Realistically speaking, there is much wishful thinking and self-deception involved in entrusting NATO's future security to what is closer to being a Montebello "Myth" than a Montebello "Decision" on deploying compensatory new NATO deterrent systems. Pressed by their Left, the European governments, and particularly the Germans have continued to balk at supporting follow-on Lances, etc.

-- Ironically, the most successful part of the Montebello process thus far has been the unilateral removal of some 1,400 US nuclear weapons and charges from Europe since 1983 (which followed an earlier unilateral reduction of 1,000 nuclear weapons/charges after 1979). The Montebello process has thus far certainly not assured the selection, financing or deployment of modern new NATO forces.

-- 7. High Extra Costs -- This will be an Very Expensive Treaty. Far from saving money, this will be a very expensive treaty. There is no NATO agreement on financing most of the Montebello modernization programs. There are not even budgeted US funds for the large extra costs of dismantling the INF systems as required by the treaty, or for the extra costs of implementing the treaty's verification provisions and inspection procedures. There will be huge costs to undertake conventional force improvements made more essential by our INF drawdown. All of these costs are high -- with hundreds of millions, indeed billions, of as yet unbudgeted dollars involved. Moreover it will be impossible to recover the \$6-7 billion dollar investment sunken into the INF systems which are slated to go.

-- It is an ungainsayable reality that there is painfully little evidence of a desire by NATO'S parliaments, specifically including our own US Congress, to come up with budgeted funds for the very substantial extra costs associated with the INF treaty. Furthermore, while "budget sharing" is a cry, and sometimes a scapegoat in the US on NATO defense issues, the political and parliamentary situations in Western Europe are likely to be exacerbated rather than improved by US pressure on this matter.

-- Because of the growing fervor associated with the US-Soviet summits and the hopes of genuine Soviet reform and a new East-West "detente," NATO's Montebello modernization situation is likely to deteriorate further with each future NATO meeting and with each future defense budget vote within Western Europe's parliaments. In addition, several candidate programs for force modernization are encumbered by restrictions imposed by the US Congress, for either fiscal or other reasons, e.g. on the Army Tactical Missile System (ATACMS) and Tactical Air to Surface Missiles (TASM).

-- 8. Conventional Forces. All of the adverse considerations about the INF treaty's impact on deterrence and defense modernization apply not only to nuclear weapons, as under "Montebello," but also, as noted above, to the required, but very expensive modernization of NATO's conventional forces. This is an area in which force asymmetries favoring the Soviet Union are likely to increase and in which it has proved impossible thus far to devise any arms reductions regime that is both stabilizing and verifiable.

-- One of the systems the INF treaty will not permit NATO to have, is the conventionally armed land-based GLCM (which could be a suitable precision-guided weapon and would have the advantage of being more readily dispersible than sea- or air-launched cruise missiles). However, there are fundamental verification problems associated with unarmed "drone" missiles (which are permitted under the treaty), and sea- and air-launched cruise missiles of all ranges (which are permitted under the treaty). These problems not only greatly reduce the arms control utility of the treaty's GLCM restriction, but may well enable the Soviet Union to develop and deploy GLCMs covertly on a unilateral basis if they so choose while we deny ourselves that right.

-- 9. Soviet Arms Control Proposals and Nuclear/CW Free Zones. Growing domestic political pressures from Socialist and Green parties in Europe -- as well as as well as heavy diplomatic pressure from the Soviet Union, including Soviet proposals for nuclear and chemical weapons (CW) free zones (which will eliminate required US deterrents but not have assured verification and compliance on the Soviet side) -- will further reduce the likelihood of gaining appropriate NATO force modernization.

-- In West Germany, in particular, pressures for dencuclearization and neutralism are clearly gaining major new momentum from the proposed INF agreement. So are leftist opposition to NATO force modernization and support for "free zones" which would remove US forces across the Atlantic while Soviet forces would move only several hundred miles East, within close range of Western Europe. Since mid-1987, when the Federal Republic of Germany's (FRG) government first felt strong pressures to throw its Pershing Ia shorter-range INF missiles into the super-powers' INF agreement, the Germans have felt themselves to be an undesirably "singularized" NATO state with regard to the stationing of remaining nuclear shorter-range systems. This adverse situation is being very strongly exploited by the FRG's Socialist (SPD), Liberal (FDP) and Green parties to block force modernization and to endorse unsound Soviet arms control proposals.

-- 10. NATO Commanders on the Future. Two former recent US commanders of NATO, generals Alexander Haig and Bernard Rogers have warned of the deleterious military consequences of removing the US INF missiles and of not providing corresponding fiscal and political resources to modernize NATO forces. The incumbent, General John Galvin, has stated that substantial additional funds must be spent in the wake of an INF agreement and that if they are not provided, we will be in an increasingly dangerous situation following US INF dismantlements. Regrettably, all three generals, as well as over one thousand other concerned former senior military officers who recently petitioned the President on this issue, are likely to be proven right in their pessimistic predictions.

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VI - MORE ON THE PRESENT DANGER -- THE INF TREATY IN ITS
BROADER CONTEXT

In the rush of summit fever, INF treaty proponents are doing all they can to divorce consideration of the substance of the proposed INF treaty from the broader context of US policy on arms control negotiations, Soviet behavior and US-Soviet relations in which the treaty is being advanced. Such an unintegrated and shortsighted approach contributes new illusions and dangers and makes America vulnerable to repeating past mistakes -- but this time with even more serious and tragic consequences than in the past.

Unless this dangerous situation is fully exposed and reversed, serious Congressional misjudgements and Executive Department concessions and risks are likely to be compounded as we near the next summit meeting in Moscow this May.

A. The INF-Summit Package and the Treaty's Linkage to Broader Issues

A number of major interrelated issues must be considered together on an integrated basis at US-Soviet summit meetings and in the intensive preparatory ministerial meetings which precede the summits. In recent summits, for example, the US-Soviet agenda has included four major areas: arms control, regional issues, human rights, and other bilateral issues including exchange programs and trade.

Individually and collectively, such a wide range of issues are currently the subject of Administration analysis and policy options in the National Security Council and elsewhere as Secretary of State Shultz and Soviet Foreign Minister Shevardnadze work on their monthly rounds of ministerial meetings prior to the May summit.

It is clearly essential that during the INF ratification debate the Congress should adopt an integrated approach parallel to that of the Executive Branch. These broader US-Soviet issues must no more be divorced from integrated consideration during serious Congressional review of the INF treaty than they should be divorced during Executive Branch preparation for summit meetings. They need to be linked as well to a coherent longer-term strategy toward the Soviet Union.

Finally, not only the specific concerns and recommendations concerning the INF treaty, but also such broader issues, should be reflected in safeguarding amendments, reservations or conditions to be attached to the proposed treaty as part of the ratification process.

B. Some Critical Broader Issues.

Along with the fundamental flaws in the INF treaty's provisions and its dangers for NATO deterrence, broader issues to be considered as part of the INF treaty-summit package should include the following:

-- 1. The Continuing Soviet Military Buildup. Two just-released annual reports to the Congress prepared by the Secretary of Defense and by the Joint Chiefs of Staff -- like the Defense Department's detailed annual assessments of "Soviet Military Power" -- vividly demonstrate that while the United States is in its fourth year of declining defense investment and is currently being forced by Congressional restrictions to undertake substantial force cuts, the Soviet military buildup continues across the board at a very high pace with force deployments far greater than ours.

-- As enumerated in the Pentagon's official reports, the unwarranted Soviet military buildup extends far beyond any plausible Soviet defensive needs. It follows the huge unilateral Soviet buildups of the 1970's "detente" period and includes offensive and defensive as well as central, regional and force projection systems. Unhindered by fiscal or environmentalist constraints, many of the newer Soviet weapons systems are highly mobile (as the new rail/road based SS-25 and SS-24 ICBMs), a deployment mode which clearly enhances their survivability and their adaptability for camouflage and for covert deployment.

-- Notwithstanding Mikhail Gorbachev's words, the Soviet deployments go on and on. As summarized in a January 19, 1987 speech by CIA Deputy, Robert Gates: "Despite Soviet rhetoric, we still see no lessening their weapons production.... Virtually all of their principal strategic weapons will be replaced with new, more sophisticated systems by the mid-1990s, and a new bomber is being added....."

-- In addition to its continuing strategic force buildup, the Soviet Union's naval, aircraft and armor buildups are perhaps best known. But as detailed in the Defense Department's November 1987 report on "The Soviet Space Challenge," the Soviet Union is also going all out to dominate space. The Pentagon report makes clear that while the Soviet leaders are pushing US negotiators and the US Congress to kill the US SDI program, and are claiming to be opposed to "the militarization of space," the Soviet military buildup includes a massive effort, far beyond the relatively modest US SDI program, to achieve Soviet war-fighting dominance in space-based offensive and defensive systems.

-- As reported by the Defense Department, the Soviet effort is clearly producing a widening and dangerous gap between Soviet and US efforts in this area. It should be clear that he who controls

space would also control earth, as is the Soviet Union's intention.

-- 2. Soviet Military Doctrine and Strategic Deception. The Soviet military buildup combines with Soviet doctrines which stress surprise, attack, deception and victory. Under Mikhail Gorbachev -- as in his book Perestroika -- Soviet leaders have continued their strong affirmation of the Brezhnev Doctrine on maintaining Soviet military/political dominance against "anti-socialist" deviations among Soviet allies while vigorously directing and bankrolling pro-Soviet forces in wars of "national liberation" directed against the Western democracies around the globe.

-- These factors, and others such as construction of some 1,500 or more Soviet command and control bunkers, deep tunneling activity and force projection expansion as described in the Defense Department's reports on "Soviet Military Power," give the lie to current major Soviet strategic deception efforts on supposed "new" defensive-oriented Soviet military doctrines, on a less militarily-focused Soviet economy and on global "openness" and "peaceful competition." On the contrary, current Soviet military programs indicate that the Soviet leaders in practice reject the Mutual Assured Destruction (MAD) doctrine which still governs US deterrence, and that they in fact believe that they can prevail in a nuclear war and in an intensification of the global struggle against the United States and the other democracies.

-- The ongoing Soviet military programs described publicly by the Defense Department and by US intelligence officials clearly demonstrate an increased, rather than decreased Soviet drive to achieve military dominance, and to use Soviet and Soviet proxy forces to subvert and blackmail other nations or to prevail in all possible military conflicts throughout the globe and including space. These Soviet programs and practices must surely be taken fully into account in considering any reduction in US deterrent forces and in placing trust in any new arms control agreements with the Soviet Union --whether involving INF, START, strategic defense, nuclear testing, conventional or chemical forces.

-- 3. Soviet Aggression and Arms Control Disinformation; Congressional Constraints on Freedom Fighters; and US Diplomatic Concessions must also be fully taken into account in their dangerous cumulative impact on the INF-Summit package.

-- Soviet Aggression. As the proposed INF treaty is being considered by the Congress, Soviet troops and those of its militant allies such as Cuba, Vietnam and Nicaragua continue to wage war in a large number of countries including Afghanistan, Angola, Ethiopia, Mozambique, Nicaragua, El Salvador, Cambodia

and Laos. Soviet-directed and bankrolled subversion, terrorism and disinformation continues apace throughout the globe.

-- Regrettably, US Government reports detailing these aggressive Soviet activities are little noted in the Congress and the media, although they offer essential material for the current debate on the linkage between INF treaty considerations, Soviet behavior and US-Soviet relations. The official US reports include the cited Defense Department reports and other detailed official reports on Cuban/Sandinista activities in Central America, Soviet warfare in Afghanistan, and intensified Soviet disinformation activities.

-- Soviet arms control disinformation activities -- include a broad range of high priority Soviet arms control efforts focused on unilateralist "peace" and church groups. These Soviet activities have been described in several Congressional reports and have been detailed in a recent Department of State publication "Soviet Influence Activities: A Report on Active Measures and Propaganda, 1986-7." In this regard, the Defense Department's annual publication on "Soviet Military Power" has also outlined the special "maskirova" (deception) role of the "Directorate of Strategic Deception" established at the beginning of the SALT I negotiations in 1969 at senior levels of the Soviet General Staff under General Nikolai Ogarkov.

-- Congressional Constraints on Freedom Fighters. As part of a continuing pressure for further US retrenchment in the face of threatening Soviet activity, cuts imposed by the leaders of the Democrat majority in the Congress have critically undercut our government's ability to assist freedom fighters to resist Soviet-sponsored warfare and subversion.

-- US Diplomatic Concessions on Regional Conflicts. At the same time, no doubt under pressure both of Congressional restrictions and summit fever, US diplomacy leaning in the Soviet Union's direction on regional issues has gone into high gear as the INF treaty is before the Senate. In this situation, the Department of State, in particular, is reportedly pressing toward major concessions in US agreements with the Soviet Union or the Soviets' Communist clients in Afghanistan, Nicaragua, Angola, Mozambique, and, perhaps Cambodia.

-- These agreements would asymetrically cut off US military assistance to those fighting Soviet-inspired aggression and dictatorships in exchange for Soviet/Sandinista promises for future compliance on Soviet troop removal, Sandinista democratization, etc. etc. Similarly, in the Middle-East, the Department of State is pressing Israel to make major territorial and political concessions preceding negotiations and is seeking to reverse four decades of US opposition to an international peace conference including the Soviet Union.

-- While the Congress has focused on the INF treaty aspects of current US-Soviet summit preparations, the very important and interrelated elements of aggressive Soviet behavior and weakened US diplomatic and security policy described above have been largely brushed aside by treaty supporters. However, the fact that these elements are part of the overall INF-Summit package and that they involve proposed deals with significant diplomatic, military and ethical asymmetries must cause such proposed deals to be the subject of closest scrutiny and critique by the Congress as part of the INF treaty ratification review.

-- 3. INF, START, and Restricting/Delaying SDI. SDI is directly endangered by current deals involving INF and emerging on START and Defense and Space negotiations. A pre-ratification political deal on INF between the Administration and Democratic Senators appears to involve a US commitment to a "narrow" interpretation of the ABM Treaty. The START and Defense negotiations have involved consideration of a US commitment to the ABM Treaty of 7-10 more years.

-- Such deals on SDI are emerging even though the ABM Treaty has long ago been broken by Soviet violations and in spite of increasing evidence of Soviet preparations for a full scale breakout. Caught by summit fever and unsound arms control pressures, the United States now risks delaying or constraining the accelerated phased deployment of our best defense insurance policy -- SDI, thereby fulfilling the Soviet Union's highest arms control negotiation priority.

-- Commenting on the clear Soviet objective of paralyzing the US SDI program while accelerating Soviet strategic defense programs, former Secretary of Defense Caspar Weinberger stated last November 21 (in a letter to Congressman Jack Kemp): "the thrust of the Soviet proposal is to impose artificial constraints on SDI that will prevent us from developing and deploying strategic defenses....(and their proposal on testing parameters) contains many loopholes and is unverifiable."

-- On these issues, the INF-Summit package, START and SDI are directly intertwined in their risks and must be addressed as such. A prudent START agreement may not be ready on its own terms because of inherent major problems (involving data base, verification, modernization, mobile systems, SLCMs, etc.), and would therefore be dangerous to conclude in a rush at the next summit.

-- But at least as important as the emerging START agreement's flaws, is the connection between START and SDI. Postponing initial SDI deployments for 7-10 years, as currently contemplated in the context of START or of a new treaty involving strategic defenses, would be an extremely high and unacceptably dangerous US price to pay for any "arms control" treaty -- whether

involving INF, START or strategic defense. Regretably, few Americans as yet realize that this is a price which is, in fact, becoming an integral component of the INF and START treaty packages and of our nation's emerging arms control framework being presented to the Congress as the US approaches the summit meeting in Moscow this May.

-- 4. Bailing Out the Soviet Economy Again. With summit fever and the aura of a new "detente," pressure is increasing for providing further generous US credits, advanced technology and a wide range of new joint commercial ventures to the Soviet Union.

-- Currently, such US credits to the Soviet Union are subsidized by US taxpayers at rates (about 7%) well below commercial rates we would have to pay and at a high volume of some \$24 billion a year, of which some \$18 billion a year is provided as "untied" loans not linked to any specific purpose. US taxpayers' money provides a very significant proportion of the Soviet Union's annual hard currency earnings.

-- The Soviets are now also entering Western bond markets, thus competing for funds and raising interest rates. There has even been discussion about the US granting the Soviet Union Most Favored Nation (MFN) status, in spite of the fact that US officials have in the past recognized the linkage between consideration of such status and the Helsinki Accords human rights obligations, which the Soviets have consistently violated.

-- The generous monies we provide to the Soviet Union, as well as the increasing flow of advanced US technology clearly help the Soviet leaders avoid having to undertake fundamental reforms for their ailing economy and are instead likely to be used by the Soviets to fuel their continued military buildup. Our hard currency subsidization of the Soviet Union greatly helps the Soviets to bankroll its proxy forces to subvert and fight against the cause of freedom throughout the globe. (The Soviet Union, for example, supports Cuba at the rate of \$5 billion a year and Nicaragua at some \$2-3 million a day.)

-- In the rush of summitry and to "Detente II," the process of US taxpayers and businesses subsidizing the Soviet Union is picking up steam, especially in the Commerce and State Departments. The Defense Department's role in scrutinizing such deals and transfers from a security viewpoint is reportedly under increasing bureaucratic siege. As part of its review of the INF-Summit Package Congress should investigate and reverse these dangerous developments.

CONCLUSIONTHE NEED FOR A NATIONAL DEBATE AND A CHANGED COURSE

As the Senate ratification debate proceeds and as preparations intensify for the US-Soviet summit meeting in Moscow this spring, the Congressional and national debate must focus on the major elements of the emerging INF-Summit package. The debate must come fully to grips with the treaty's fundamental flaws involving data, verification and deterrence as well as with the summit's broader arms control and national security framework.

The national debate on the proposed INF treaty and the related summit package should accomplish several major objectives if the US and Allied security and the cause of freedom are to be protected. The debate should:

-- 1. Face up to the realities of the new threats we face, particularly from the Soviet Union, and to the dangers of being captured by the illusions of summit fever and a unilateral "Detente II."

-- 2. Lead to a changed course and to public and Congressional support for realistic long-term national strategies and diplomacy vis a vis the Soviet Union.

-- 3. Lead to prudent US and NATO defense programs especially including funding for nuclear, conventional and chemical modernization programs required to assure effective deterrence.

-- 4. Build greater support for freedom fighters opposed to Soviet/Communist aggression and subversion and greater pressure for human rights throughout the Soviet Block.

-- 5. Ensure restrictions on the flow of US credits and advanced technology to the Soviet Union.

-- 6. Reject any constraints or delays on SDI deployment and lead to a national commitment for the accelerated, phased deployment of our nation's defense insurance policy -- a comprehensive SDI -- to include space-based elements.

In the days ahead, the specific INF treaty flaws and the broader treaty- and summit- related problems spelled out above need to be considered in terms of specific amendments, reservations and conditions attached to the INF treaty during the ratification process. A number of such treaty changes and safeguards are outlined in the attached Appendix.

APPENDIXRECOMMENDED RESERVATIONS/AMENDMENTS/CONDITIONS TO THE INF TREATY

In response to fundamental security concerns raised by the INF Treaty and the likely INF-Summit package being developed by the Administration at this time, a number of essential reservations, amendments, or conditions should be considered by the US Congress. Their adoption would provide important safeguards to reduce fundamental concerns pointed out by critics of the proposed treaty. At the same time, they should be equally supported by those INF treaty proponents who reject unsound arms control and who believe sound arms control is important to our national security and to global stability.

1. SOVIET NON-COMPLIANCE

In view of the extensive record of Soviet violations of past arms control agreements as repeatedly reported to the Congress by President Reagan, and to demonstrate seriousness about effective arms control, a treaty reservation is needed which would:

-- Require the President to provide a comprehensive report to the Congress on the status of Soviet noncompliance along with certification that the Soviet Union is not violating any existing arms control agreements before we undertake any new ones.

-- Explicitly reserve for the United States the right to undertake proportional responses to any Soviet violations. Such responses, including cessation of reductions or the deployment of new systems, and to include abrogation of the treaty, should be authorized during the ratification process.

-- Link the continuance and/or completion of each US arms reduction phase within the INF treaty, with Pershing II missiles to be reduced last, to full Soviet compliance with all provisions of the treaty, including verification and data provisions.

2. DATA BASE AND VERIFICATION

In view of the significant data discrepancies and verification problems evident in the treaty, the following are needed:

-- Extensive hearings should be held on the treaty's evident data and verification problems as enumerated by Members of Congress and others in order to establish clearly the limitations on accurate US estimates and on effective verification as well to clarify the nature and risks of possible Soviet deception and circumvention. No agreement should be ratified unless these issues have been satisfactorily resolved.

-- The Congress should be provided with a projected cost breakout of the treaty's verification provisions in terms of US costs of: a) dismantling treaty-limited items; b) staffing and carrying out US inspections abroad; c) appropriately assisting and monitoring Soviet inspectors in the US; and d) protecting from disclosure to Soviet inspectors sensitive US facilities, or parts of facilities or programs, not involving treaty-limited items.

-- Careful consideration should be given to requiring "suspect site" challenge inspections, along with appropriate safeguards for protecting facilities and items not limited by the treaty.

-- Near-term and longer-term US intelligence enhancement programs, including accelerated or new programs, should be considered in order to provide the safeguard of significantly improved US ability to monitor the INF treaty and any potential START treaty provisions.

3. NATO DETERRENCE -- Nuclear, Conventional and Chemical

To safeguard NATO deterrence in the face of projected US drawdowns in critical INF deterrent capabilities (while the Soviets can readily replace and even build up their capabilities), and to move demonstrably beyond lip service to increased burdensharing by our Allies, the Congress should, through appropriate treaty amendment or reservation, require that:

-- The US must undertake no reductions in its own INF forces, explicitly including the category of ballistic missile warheads and total INF ballistic and cruise missile warheads, until the Soviet Union has first come down to the US levels in those categories and until the Soviet Union has agreed to come down to equal or near-equal levels in major categories of offensive conventional forces including armor and artillery.

-- The US should now indicate that it would halt its phased INF force reductions at any point of Soviet noncompliance with the treaty, including provisions including data and verification. At that point either the Soviets would have to take immediate and full corrective action or the United States would implement a proportionate response, including stepping out of the treaty altogether.

-- The US should not commit to, or begin any, INF reductions unless and until the NATO Alliance has first agreed on the modernization programs for requisite deterrent forces in non treaty-limited categories involving conventional and chemical, as well as nuclear, forces in the face of modern and far larger comparable Warsaw Pact forces.

-- The NATO commitment to modernization should as a required minimum include specific high priority programs for aircraft, anti-tactical ballistic missile defenses (ATBM), conventionally-armed sea- and air-launched cruise missiles, armor, and chemical forces.

-- The NATO commitment to identification and funding of such requisite force modernization of nuclear, conventional and chemical forces should be formally established prior to treaty ratification at an early summit of NATO leaders as NATO's highest security priority.

4. SDI

Rather than surrendering early deployment of our SDI defense insurance policy as a political bargain for ratification or as a bargaining chip for negotiating proposed START reductions -- and rather than constraining or delaying SDI in any way in the name of the ABM Treaty broken by Soviet Union violations and increasingly threatened by a full scale Soviet treaty breakout-- the Congress should by appropriate reservation require that as a condition and important incentive for any proposed arms reduction agreement:

-- The US should reject any "narrow", "broad" or other limits on accelerated SDI research and development, and on early phased deployment of SDI, in connection with the INF treaty ratification package or any other treaty, including a START or Strategic Defense treaty. Deployments should include Anti-tactical Ballistic Missiles.

-- The US should undertake a bipartisan national commitment by the President and the Congress to join in accelerating early, incremental SDI deployment -- including reactivation and refurbishing of the strategic missile defense facilities at Grand Forks AFB, N.D. --as part of a systematic step-by-step phased approach to include deployment of space-based elements. The President should request a report on appropriate accelerated deployment options from the Secretary of Defense and provide such a report, along with his own views to the Congress on an expedited basis by May 1, 1988.

-- The US should by such national commitment, and appropriately designed and funded programatic steps, begin to deploy SDI as our people's best defense insurance policy against accidental launch and Soviet cheating and the world move out of a situation of strategic deterrence in which the United States relies exclusively on the threat of Mutual Assured Destruction.

5. COMMERCIAL CREDITS, TECHNOLOGY TRANSFER AND HUMAN RIGHTS

To avoid America's bitter experience with aggressive Soviet behavior following the 1970's summits, and following other US-Soviet meetings in eras of supposed "detente" -- when the US provided generous credits and advanced technology to the Soviet Union in the vain hope of moderating Soviet domestic and international behavior -- the Congress should by appropriate amendment, reservation or condition, ensure that:

-- The US Government or US banks should underwrite no commercial credits to the Soviet Union at rates lower than current domestic rates and no loans not tied to a publicly specified and appropriate non-defense-related purpose.

-- The Department of Defense should have the major responsibilities within the US Government's interagency system for evaluating military risks and establishing defense-related restrictions on the flow of advanced technology to the the Soviet Block.

-- The volume and purpose of any US credits and commerce should be directly related to Soviet compliance with the international obligations on human rights issues under the Helsinki accords and with other agreements, including arms control agreements, as certified by the President.

-- The Soviet Union should not be considered for Most Favored Nation (MFN) status, as currently favored by some, until and unless it is certified by the President to be in full compliance with the Helsinki Final Act, a linkage intended when the Helsinki Final Act was initially presented to the Congress over a decade ago.

6. REGIONAL CONFLICTS

In considering the INF treaty as a component of the broader INF-Summit package currently being developed by the Administration on a wide range of US-Soviet issues, the Congress should by appropriate reservation make it clear that:

-- At the INF-summit this May and elsewhere, the US will not be part of any negotiation bargain with the Soviet Union or any of its allies -- bargains such as some being currently proposed by the Department of State in the rush to the May summit -- that would reduce or cut off US military or economic aid to democratic resistance forces fighting Soviet-supported dictatorships, unless and until those dictatorships are replaced by independent governments which accept and implement democracy, and until and unless Soviet assistance and Soviet military and internal security infrastructures in support of their proxy dictatorships are ended or dissolved.

-- Such a policy will expressly apply in the cases of Afghanistan, Nicaragua, Angola, and Mozambique and such other countries as shall be identified by the Congress as countries where freedom is on the line.

JACK KEMP
31ST DISTRICT OF NEW YORK

COMMITTEES
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SUBCOMMITTEE
FOREIGN OPERATIONS

SELECT COMMITTEE ON
CHILDREN, YOUTH AND FAMILIES

Congress of the United States
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Washington, DC 20515

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Washington D.C.
December 5, 1987

President Ronald Reagan
The White House
Washington D.C. - 20500

Dear Mr. President:

On the eve of your forthcoming summit meeting with Mikhail Gorbachev, I write you as former Director of Arms Control on your National Security Council Staff for nearly seven years from January 1981 until September 1 of this year. I ask most earnestly that before you meet with Mr. Gorbachev, you read the attached remarks of Congressman Jack Kemp, whom I joined upon leaving the NSC as his Assistant for Defense and Foreign Policy.

Congressman Kemp voices fundamental concerns about the increasingly dangerous Soviet challenge under shrewd new Soviet leaders, and about the correspondingly increased need for America to avoid past illusions and to deal with the world's most powerful enemy of freedom and peace from a position of realism and strength.

I very strongly share Congressman Kemp's views about the dangers of the current summit fever and about the vast difference between Mikhail Gorbachev's words of peace, "glasnost" and "perestroika" and the brutal and aggressive realities of the Soviet empire.

In reading Mr. Gorbachev's book Perestroika last week, as well as his recent interviews, it is quite clear that Gorbachev proudly follows classic Communist doctrine. He is a follower of Lenin and Stalin, much as he pays lip-service to change. He explicitly rejects any diminution in the Communist Party's dictatorial monopoly at home. He explicitly supports the East's Iron Curtain, the total integration of the Communist world, "liberation wars," and the inevitable global triumph of international Communism and its bloc of "fraternal socialist" nations. Glasnost is "publicity," not "openness,"; "perestroika's" restructuring is accommodation to the Soviet Communist Party's views and its final world victory.

The massive continuing Soviet military build-up, including in space; the broad pattern of Soviet treaty violations; the continuation of the gulag system; Soviet aggression and subversion in Afghanistan, Central America, Africa and Asia; and Soviet disinformation, espionage and terrorist support efforts, are all undeniable elements of this sobering Soviet reality.

Americans like Jack Kemp, or I, are surely not voicing fundamental concerns and proposals today because we want war.

Nor could that be said of similar warnings like Winston Churchill's in the 1930's, or Senator Henry "Scoop" Jackson's and candidate Ronald Reagan's in the 1970's. I personally experienced the Second World War as a British child held in Germany, much of the time in a cellar, and also experienced the Vietnam war first-hand. On the many occasions I was at meetings in the White House Situation Room, sometimes with you in the head chair, I was always encouraged to see behind your chair the poster of Winston Churchill.

It is precisely because Jack Kemp and others want to deter and prevent war, extend the hope of genuine peace with freedom around the world, and preserve it for our children, that we value Churchill and that we believe you were right in your policy of "peace through strength."

That is why we believe it so vitally important that you commit the United States now to accelerate the early phased deployment of SDI, rather than delaying or restricting it in any way in the name of an ABM Treaty long ago broken by the Soviet Union -- as some would have you agree to do for 7 or 10 years at this, or the next, summit.

SDI is our best insurance policy against probable continued Soviet cheating on arms reductions agreements, against the Soviet ABM Treaty breakout, and to get the people of the world out from under the long-term madness of Mutual Assured Destruction.

Our concern also leads us to believe it dangerous to accept a double standard which excuses and rewards Soviet violations by agreeing on any new arms control agreements before the Soviets cease violating existing agreements. Similarly we believe it dangerous to reduce the by far most credible element of our nuclear deterrent in Europe, particularly the Pershings, without having first reached firm agreement within NATO on the very specific modernization programs for our nuclear, conventional and chemical forces required in the face of the far larger Warsaw Pact forces.

And that is also why we would counsel against undertaking new nuclear testing or chemical weapons limitations commitments, as urged by some of your advisors, particularly in the Department of State. Such undertakings would profoundly undercut the reliability of our nuclear and chemical deterrent forces, they involve severe verification difficulties (inherently impossible to solve for chemical and biological weapons) and they involve arms control limitation areas already violated by the Soviet Union. In such areas, modernized US deterrent forces would be far more trustworthy guarantors of peace and security than ineffectively verifiable agreements which are bound to be broken by the Soviets.

We would also stop America's subsidizing of the Soviet military build-up and Soviet aggression through generous US credits and sophisticated technology, although a different view prevails today in the Departments of State and Commerce.

Such profound concerns expressed by Jack Kemp and others in the United States and Europe, will surely be at the core of the

coming national debate on the proposed INF Treaty, the December and spring summits, and US-Soviet relations. These issues, like the questions Jack Kemp urges be asked of Mikhail Gorbachev during his visit here, will surely not go away. They will increasingly come to the fore, and must be fully addressed.

I have written this letter to you, forwarding Congressman Kemp's remarks, in the spirit of highest regard for you and with full recognition for your very great accomplishments and for the difficult dilemmas you face. It was a very great honor for me to serve you on the NSC, and earlier on your Defense Department Transition Team in 1980 and as one of four senior staff members drafting the defense and foreign policy sections of your 1980 Platform.

I have been in government service for more than twenty-three years, since the Kennedy administration -- with nine years on the NSC Staff in the Johnson, Nixon and Ford administrations and two years on a Senate staff. Mr. President, in all that time you are the one man I have found the most inspiring of confidence and commitment -- in your moral vision, in your realism, in your readiness to speak the truth, and in your constant awareness not only of America's special blessings but also of her very special responsibilities in defending the cause of freedom against the totalitarians' revolutionary challenge. I, my family, our nation and the world truly owe you an enormous debt.

But now, sadly, your legacy of having brought America back with vision, courage and strength as a leader of the Free World is in very great jeopardy. If summit fever prevails and unsound commitments are made, while phased SDI deployment and critical NATO and US defense modernization programs are delayed, the world will become much more dangerous and war could become more likely.

I hope you will take this letter and the enclosed remarks of Jack Kemp to heart. I hope you will review the past lessons and current issues cited by Congressman Kemp, and the proposals on how to handle each at the summit and beyond.

Mr. President, I know that at the summit, and every day you serve, you will have the prayers, understanding and respect from all of us who love our country and our president.

Most Sincerely,

Sven F. Kraemer

Sven F. Kraemer
Assistant for Defense and
Foreign Policy
To Congressman Jack Kemp

cc: Lt. Gen. Colin L. Powell, USA

A WARNING AGAINST THE DANGERS OF SUMMIT FEVER --
STRENGTHENING FREEDOM THROUGH REALISM IN US-SOVIET RELATIONS

Remarks Prepared for Delivery by Congressman Jack Kemp

Concord, New Hampshire -- December 4, 1987

I would like to thank you for joining me today, as we meet on the eve of the December 7 summit meeting between President Reagan and Mikhail Gorbachev. This will be a watershed moment for America and the world, and the President will carry our country's hopes and prayers that his discussions will lead to success.

Americans are a peace-loving people; it is natural for us to want to beat our swords into plowshares. But before the lamb decides to lie down with the lion, we would do well to remember the strength and stealth of our principal adversary, the Soviet Union.

The proposed INF arms control agreement about to be signed at the summit must be considered in the context of Soviet actions and of US and allied security. I believe that if our security is to be safeguarded, the agreement will require significant reservations and conditions before it is ratified or implemented.

The December 7 anniversary of Pearl Harbor is a sobering reminder of the drastic cost of past diplomatic dangers and illusions. In the 1930's, too many Americans, particularly in our Congress, refused to face up to the undeniably disturbing truths about the aggressive ambitions of Nazi Germany and Imperial Japan.

A few courageous leaders, a few lonely voices, tried to warn the West. But as Winston Churchill would write, England in 1936 was "determined only to be undecided, resolved to be irresolute, adamant for drift..." as he "watched this famous island descending the stairway which leads to a dark gulf" of war.

In the 1930's, peace was not preserved, our own freedom in America was nearly lost, when we fell into self delusion and weakness, signing paper agreements and cutting back our defenses.

We did not avert danger; our weakness provoked aggression; our illusions were paid for in drastic costs to life and to freedom.

Last year, immediately before, and then after the Reykjavik summit, I expressed concerns about aggressive Soviet ambitions under its younger, shrewder and far more resourceful regime. With the benefit of a year's hindsight, my concerns have not diminished but increased. The world has observed the Soviet Union moving surely and systematically to increase its military strength, and to seek to impose its will by weakening the resistance of the West, trying to divide NATO and exploiting western markets and western wealth.

When Mikhail Gorbachev lands on United States soil next week, his first words will be words of peace. But as he speaks words of peace, the Soviet Union will be at war.

The Soviet Union is waging war against the people of Afghanistan. The Soviet Union is shipping weapons of war in record levels, and its troops and military advisors are found today in nearly a score of pro-Soviet regimes, including Cuba and Nicaragua in our own hemisphere. The Soviet Union is also at war with its own people, continuing to confine thousands upon thousands of political dissidents inside its gulags, prison camps and psychiatric hospitals.

And while we will hear of new Soviet arms control proposals and new trust, the Soviet Union continues to be in clear violation of numerous existing arms control agreements as detailed in the President's most recent report to the Congress on Soviet noncompliance, just issued on December 2.

The Soviet Union continues to far outpace us in the conventional and chemical forces it has deployed. In the heartland of Europe, for example, where our conventional forces will take on heightened importance if the proposed INF Treaty is signed, the Warsaw Pact is fielding two to three times as many divisions, main battle tanks, and artillery pieces as NATO.

In strategic weapons, the Soviets are building and deploying new generations of mobile intercontinental missiles, with multiple warheads and pinpoint accuracy; and they recently fired two missiles near Pearl Harbor, temporarily blinding an American pilot.

The American people also need the information about the US-Soviet space gap -- a growing space gap. While the US space program has been cut back and has emphasized commercial and scientific ventures, the Soviet Union is pursuing an extraordinary range of war-fighting capabilities in space.

The Soviets have a deployed anti-satellite capability and a space station conducting military experiments. We have neither. They have some 100 space launches a year. We have about 10. They have far more satellites in orbit than we have and they have a heavy lift launch capability which dwarfs ours. A report on the Soviet space challenge just released by the Department of Defense concludes that, "the Soviets have methodically designed their space systems to fight a war in space....(and) to acquire the military capability for military control of space." And military dcontrol of space would mean military control of earth.

Ladies and gentlemen, there is a great gulf between Soviet words and Soviet deeds. That is why I am expressing my growing concern, why we must not permit America's security, freedom and peace to be endangered by letting down our guard, by weakness or by a loss of resolve. The lesson of history is clear. Weakness is

provocative. Weakness causes war and only a strong and vigilant America can remain free and at peace.

America's Purpose and The Cause of Freedom

The central drama of the twentieth century has been the struggle between democracy and totalitarianism, between freedom and tyranny. And an enduring lesson from these struggles is that when freedom is diminished for one people, it is inevitably reduced for all.

President John F. Kennedy, said in 1961 that we would "pay any price, bear any burden, support any friend, oppose any foe in the defense of liberty." Kennedy spoke with perhaps excessive zeal, for while we recognize that America should champion freedom for all people, we cannot simply win freedom for all people. What we can do, and must do, is to give our moral, material and economic support to men and women fighting for their own freedom.

But as many witnessed during Tuesday night's television debate, not one Democratic presidential candidate would even acknowledge the increasing Soviet threat, would even support a strong US defense program necessary to protect the peace, or would even pay the price of freedom in our own hemisphere -- how can we expect them to pay the price of freedom in the world?

Ladies and gentlemen, I would like to say, as does my friend Congressman Jim Courter, "the Democrats aren't unpatriotic, they're just wrong."

Taking Stock -- Freedom and "Detente"

The Soviet leaders, and many in our Congress and the State Department, are telling us that the December 7 summit, could usher in a grand new period of US-Soviet "detente". This is to be a kind of "Detente II", to follow the "Detente I" of the 1970's.

I know the American people share the hope that we could, in fact, be witnessing the dawn of a new era, of real and lasting change within the Soviet Union. Can there be any deeper desire shared by our nation, and all mankind, than the emergence after 70 years of totalitarian rule, of a truly more democratic, tolerant and peaceful Soviet Union?

But before we leap blindly into new dangers, we need to recall the disastrous illusions and setbacks of the 1970's "detente". In the wake of Watergate and Vietnam, our leaders lectured us that Americans suffered from an inordinate fear of communism and that we needed to take greater risks for peace. They decided to pull the plug from those struggling for freedom across the world, cut our defense programs, sign arms control, exchange and trade agreements with the Soviet Union, even provide generous

commercial credits and sophisticated technology to the Soviet regime.

All this, we were assured again and again, would produce a new web of US-Soviet relations and a genuine change in Soviet behavior. The assumption was, in the words of former Secretary of State Cyrus Vance, that Soviet and America leaders shared common hopes and aspirations for peace. Just as in the 1930's, voices were raised, sober warnings were given -- and rejected. Senator Henry "Scoop" Jackson and then candidate Ronald Reagan, warned that peace would not be strengthened, that freedom would not be advanced and that the Soviet Union would never be transformed by US illusions, US trade or unilateral US disarmament. But they were dismissed as simplistic, archaic, and provocative.

How did the Soviet Union respond to our peaceful overtures? They abused our trust and ran roughshod over our restraint. They violated major agreements as soon as they were signed. They stepped up their military expansion, deploying a nuclear first strike capability. They intensified their disinformation campaigns, their espionage and their support of international terrorism. They exploited our trade, our technology and our credit, siphoning the wealth of the West to expand their huge military-industrial complex. They continued their harsh denial of fundamental human rights at home and their subversion and aggression abroad.

Almost everywhere in the world, America began retreating and the Soviet Bloc advanced. North Vietnam's Soviet-equipped divisions broke the international armistice accords and overran Vietnam, Cambodia and Laos. Mass imprisonments, genocide and the creation of hundreds of thousands of "boat people" refugees soon followed. Today, a major Soviet military base in Vietnam's Cam Ranh Bay threatens the Pacific's major trade routes and communist insurgents are closing in on the strategic Philippines.

Across the Atlantic Ocean, Castro sent over 40,000 troops to Africa as cannon-fodder for Soviet proxy wars in distant Angola and Ethiopia. In the Middle-East, Soviet paratroop divisions prepared to enter the Yom Kippur war against Israel. In Iran, radicals egged on by Soviet radio broadcasts, attacked our embassy, and took our diplomats hostage. Afghanistan was invaded by Soviet armored divisions and some 115,000 Soviet troops remain there after eight years of war.

Within the Soviet Bloc itself, meanwhile, those monitoring the human rights provisions of the Helsinki Act were jailed by the Communist regimes. In Poland the workers' free labor movement, Solidarity, was suppressed and Soviet invasion was threatened. And while the United States cut back, cancelled or postponed major military programs throughout the seventies -- strategic defenses, the B-1 bomber, the Trident submarine -- the Soviet Union undertook the greatest military build-up in offensive and defensive systems in world history, deploying an arsenal far exceeding any they legitimately needed to defend

their own people.

All told, in this "Detente I" period of the 1970's, ten countries toppled into the Soviet Bloc. Soviet-sponsored subversion increased, terrorism exploded and the military balance began to shift dangerously toward the East.

The Reagan Legacy

Ronald Reagan understood the core problem -- that we had lost our realism about our principal adversary. He pledged to revive an America that would lead the West and stand up to the Soviet Union's revolutionary challenge. He ran on a platform of "peace through strength" and received a great mandate from the American people. He helped America cast off her illusions and any self-doubt that a free people, under God, could set things right again.

In the face of constant criticism from the liberal wing, the isolationist wing of the Democratic Party, Ronald Reagan spoke the truth about the Soviet regime and the need for a strong defense. He initiated major efforts to modernize our lagging deterrent forces and he proposed the Strategic Defense Initiative. He sought to support freedom fighters in Central America, Africa and Asia. He reaffirmed the American vision and brought us back from a time of lost confidence at home and set-backs abroad. We owe President Reagan a great debt.

Summit Fever and The New Soviet Challenge

But on the occasion of the US-Soviet summit, Ladies and Gentlemen, we need to resist the inevitable temptation of succumbing, once again, to summit fever. We must recognize that we do not, in fact, face a new Soviet Union; we face a new Soviet challenge.

Let us not be "Mesmerized by the Bear" -- that's the title of an important new book published this month about the Soviet strategy of deception. And let us not judge Soviet intentions by the glow of Gorbachev's visit, or by how many times slick Soviet propagandists like Vladimir Posner and Georgi Arbatov appear on our television screens to repeat the words "peace", "glasnost" and "perestroika".

No, the questions I believe need to be asked of the Soviet leader are these: Mr. Gorbachev, how many treaties will you stop violating and will you begin to honor? How many labor camps and prison camps are you prepared to close down? How many political prisoners and slave laborers will you set free, and how many Jews and Christians and "refusenicks" will you allow to leave and finally live where they choose? When will you stop bombing Afghan villages? When will you tear down the Berlin Wall and the Iron Curtain and stop shooting innocent people for trying to escape to freedom? And when will you apologize to the families of loved ones struck down in the civilian Korean air liner, which killed

one of my Congressional colleagues, Larry MacDonald and to the family of Major Arthur Nicholson, who was murdered in cold blood?

These questions need to be asked even if the answers are not encouraging. Yes, there have been some dramatic, but only highly selective, highly limited, releases of a few prominent dissidents. And yes, there have been some changes in Soviet vocabulary and some minimal changes in the rigidly centralized economy.

But the Communist Party of the Soviet Union continues to tolerate no meaningful dissent. There are no democratic checks and balances on Mr. Gorbachev's Politburo such as free press, free assembly, free elections, free labor organizations or an independent judiciary. And the Kremlin's leaders continue to direct a block of servile dictatorships united in their opposition to genuine democracy and peace and determined to keep high walls around their citadels of power and privilege.

Summit Concerns -- Freedom and Security Endangered

I am by nature an optimist. But I am profoundly concerned that the Reagan legacy, the heritage of that peaceful, prosperous and secure future we want to hand over to our children, could be lost if we do not see clearly this challenge and unite to meet it. No one expressed this need better than New Hampshire's own, Daniel Webster, when he said, "God grants liberty only to those who are willing to guard and to defend it." The decisions made in these next few days and months could well shape our future for the 1990's and beyond.

As President Reagan meets with Mikhail Gorbachev, let me summarize six major concerns and how I would propose to deal with each:

First, Soviet Words versus Soviet Deeds: I am concerned lest the Soviets' new Madison Avenue style -- constantly evoking warm images and reassuring words like "glasnost" and "perestroika" -- not conceal the truth about Soviet conduct. In Russian, "glasnost" does not mean "openness", as it is often translated, but "publicity". And the "restructuring" supposedly intended by the Russian word "perestroika" in no way means ending the monopoly of the Communist Party, or collectivization, or the centrally planned economy, or providing fundamental democratic rights.

-- A colleague in the Politburo once described Mr. Gorbachev as a man with "a nice smile but iron teeth." This week, in his interview with Tom Brokaw on NBC, we saw the teeth -- Mikhail Gorbachev is no mellowed Marxist, he is a hard-core Communist.

-- To judge the sincerity of Soviet words, I urge that at the Summit, and in other forums, the United States and our allies press repeatedly for Soviet demonstrations of good faith: that

the Soviets end their suppression of human rights; that they permit the reunification of families; that they expand the sphere of liberties for their people to include the uncensored right to watch and to listen to Western broadcasts, to read Western publications, and to see first-hand the reality of life in the West, -- show us, Mr. Gorbachev, that your "glasnost" is real.

Second, Arms Control and Soviet International Aggression:

I am concerned about a summit meeting which will be focused principally on arms control issues while neglecting other fundamental aspects of international Soviet behavior. We should surely be treating Soviet aggression around the globe as sharing our top concerns in the US-Soviet relationship and as requiring fundamental changes in Soviet behavior.

-- To ensure that the summit does not give mere lip service to these issues, I believe that any commitments on future arms control agreements must be accompanied by explicit Soviet commitments to pull out its troops from Afghanistan and cease its military subversion in Central America and elsewhere.

Third, Soviet Treaty Violations and Arms Control: I am concerned about a rush to a new arms control agreement while the Soviet Union continues to violate major existing arms control agreements. Such a step violates the President's own policy as stated in his March 1986 report to the Congress on Soviet violations when he said that "compliance with past arms control commitments is an essential prerequisite for future arms control agreements." The President's latest report, just issued on December 2, details the continued pattern of Soviet treaty violations and describes a new Soviet violation of the ABM Treaty.

-- Furthermore, while some people are ignoring the issue of compliance in their concern about verification -- and I understand, incidentally, that the proposed Treaty does not provide us the safeguard of any "anywhere, anytime" challenge inspections at suspect sites -- we must recognize that even the best US verification procedures will not assure Soviet compliance, so long as we accept a double standard, excusing and rewarding Soviet violations.

-- To be serious about arms control with the Soviet Union is to insist on Soviet compliance. We should not undertake, and certainly must not implement, any new arms reductions agreement unless and until the Soviets have ceased their violations of existing agreements. We must also reserve the right to take proportional responses to any Soviet violations.

Fourth, NATO Deterrence: I am concerned about a rush to eliminate by far the most effective and credible elements of our nuclear deterrent -- especially the Pershing missiles, the only nuclear missiles that can rapidly reach Soviet territory from Western Europe. The remaining nuclear missiles and artillery are of such short range that they would principally devastate the

territory of our own allies, while our longer-range aircraft would have a far slower response time and would have to fly into a very intense network of Soviet air defenses. Meanwhile, the Soviet Union, with its great surplus of strategic weapons, will be easily able to make up the loss of its SS-20 missiles by retargeting its new SS-25 strategic missiles, many of which it is deploying at the SS-20 bases.

-- I am equally concerned that the elimination of our best deterrent in Europe is occurring without having first reached agreement within the NATO Alliance on the essential modernization programs for nuclear, conventional and chemical forces. Such a NATO modernization program will be more difficult following the signing or ratification of an INF agreement, since the INF agreement will greatly increase the political pressure from the Soviet Union and the European left for further cuts in NATO's remaining nuclear deterrent and in US conventional forces. And the INF agreement will increase pressures for new chemical weapons agreements that cannot be effectively verified, even while existing chemical and biological weapons agreements have been violated by the Soviet Union.

-- To reduce these dangers, I believe we should make it a condition that the US undertake no reductions, unless the Soviets have first come down to our own level of forces, and unless the NATO Alliance has agreed on the requisite modernization programs. We particularly need to accelerate development and deployment of anti-tactical ballistic missile defenses, but should also emphasize aircraft and a wide range of conventional force improvements. In this regard I am calling today for an early summit of NATO leaders, to adopt a comprehensive modernization program as NATO's most important security priority.

Fifth, SDI and A Strategic Arms Control Framework: I am very concerned that the Soviet Union's highest objective, their ultimate goal in this summit and the next is to pull off the strategic sell-out of the century -- in effect, America bargaining away our Strategic Defense Initiative by agreeing not to begin any deployment for the next 7 or 10 years. As former Secretary of Defense, Cap Weinberger wrote me on November 21: "the thrust of the Soviet proposal is to impose artificial constraints on SDI that will prevent us from developing and deploying strategic defenses." Secretary Weinberger further added that the Soviet proposal "contains many loopholes and is unverifiable."

-- It is a frightening fact that as we meet today, America has no defense against a strategic missile attack from the Soviet Union, or even a terrorist. But there is a solution. The Strategic Defense Initiative is the greatest peace initiative and safeguard in post-war history. We cannot relax our guard until it is deployed, with each phase adding increased protection and deterrence. SDI is America's best insurance policy against Soviet cheating, against a Soviet monopoly with its own vast strategic

defense program, against the developing US-Soviet space gap, and against the long-term instabilities of maintaining nuclear deterrence exclusively on the basis of Mutual Assured Destruction.

-- SDI is not a technological problem. It is a political problem of vision, guts, and leadership. The Democratic Presidential candidates, and regrettably Vice President Bush and Senator Dole as well, refuse to accelerate deployment of SDI, even though the Soviet Union has broken the ABM Treaty. I am proposing that we commit this nation to go forward, at the earliest possible date, to build and to deploy SDI for our country.

Sixth, Trade, Credits and Technology: I am concerned that in the aura of summit harmony, the US is being set up to bail out the Soviets with our sophisticated technology as well as generous credits, including untied loans, on terms far more favorable than any American taxpayer, any home-buyer, any small-business borrower, could obtain commercially.

-- Ladies and gentlemen, the United States of America must stop subsidizing Soviet aggression. It is high time that we cut off Mikhail Gorbachev's American Express Card, and that we put a stop to American taxpayers underwriting the Soviet Bloc, their deplorable economies and their military buildup to the tune of \$24 billion a year, of which \$18 billion are loans untied to specific purposes.

-- I have sponsored legislation to stop the flood of such Western credit, particularly the untied loans, and I strongly support appropriate restrictions on the flow of advanced technologies, which only strengthen the Soviet military effort while relieving the pressure for long overdue economic and political reforms in the Soviet regime.

A Voice of Concern, Realism and Hope

In expressing these concerns today, I know many Americans, as well as many around the globe who look to America, share my concerns and pray that the United States will meet its responsibilities as leader of the Free World. I will continue to speak out vigorously on these fundamental questions during my campaign. They are not going to go away, and they cannot simply be wished away, much as some would like to ignore them.

I don't want it to be said of us, as Churchill had to say in his time, that our "...delight in smooth sounding platitudes, refusal to face unpleasant facts, desire for popularity and electoral successes...played a definite part in the unleashing upon the world of horrors and miseries."

That is the purpose of this discussion today and of the reservations I have expressed. I believe those reservations will emerge as the heart of the coming national debate on the INF Treaty, the future

strategic arms control framework, and future of US-Soviet relations.

In this national debate, I will continue to work, and would be honored to have your support, for a policy of peace through strength in the cause of freedom. If we keep faith with our abiding principles, we will not fail America -- and America true to her principles, will never fail the world.

Thank you very much.

